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THE

HISTORY

OF THE

REBELLION AND CIVIL WARS,

BY

EDWARD EARL OF CLARENDON.

THE

HISTORY

OF THE

REBELLION AND CIVIL WARS

IN

ENGLAND,

BY

EDWARD EARL OF CLARENDON.

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THE

HISTORY

OF THE

REBELLION, &c.

BOOK V. CONTINUED.

THIS declaration was no sooner published, but his majesty likewise set forth an answer to that other declaration, of the twenty-sixth of May; in which he said, "that whosoever looked over the "late remonstrance, entitled, *A Declaration of the* "*Lords and Commons*, of the twenty-sixth of May, "would not think that his majesty had great reason "to be pleased with it; yet he could not but "commend the plaindealing and ingenuity of the "framers and contrivers of that declaration, (which "had been wrought in a hotter and quicker forge "than any of the rest,) who would no longer suffer "his majesty to be affronted by being told, they "would make him a great and glorious king, "whilst they used all possible skill to reduce him "to extreme want and indigency; and that they "would make him to be loved at home, and feared "abroad, whilst they endeavoured, by all possible

" ways, to render him odious to his good subjects,
" and contemptible to all foreign princes; but, like
" round dealing men, told him, in plain English,
" that they had done him no wrong, because he
" was not capable of receiving any; and that they
" had taken nothing from him, because he had
" never any thing of his own to lose. If that doc-
" trine were true, and that indeed he ought to be
" of no other consideration, than they had informed
" his people in that declaration, that gentleman
" was much more excusable, that said publicly, un-
" reproved, that the happiness of the kingdom did
" not depend on his majesty, or upon any of the
" royal branches of that root: and the other, who
" said, his majesty was not worthy to be king of
" England: language very monstrous to be allowed
" by either house of parliament; and of which, by
" the help of God, and the law, he must have some
" examination. But, he doubted not, all his good
" subjects did now plainly discern, through the
" mask and vizard of their hypocrisy, what their
" design was; and would no more look upon the
" framers and contrivers of that declaration, as
" upon both houses of parliament, (whose freedom
" and just privileges he would always maintain; and
" in whose behalf, he was as much scandalized as
" for himself,) but as a faction of malignant, schis-
" matical, and ambitious persons; whose design
" was, and always had been, to alter the whole
" frame of government, both of church and state;
" and to subject both king and people to their own
" lawless, arbitrary power and government: of
" whose persons, and of whose design, his majesty

" said, he would, within a very short time, give his " good subjects, and the world, a full, and, he hoped, " a satisfactory narration.

" The contrivers and penners of that declaration " (of whom his majesty would be only understood " to speak, when he mentioned any of their undu- " tiful acts against him) said, that the great affairs " of the kingdom, and the miserable bleeding con- " dition of the kingdom of Ireland, would afford " them little leisure to spend their time in decla- " rations, answers, and replies. Indeed, his ma- " jesty said, the miserable and deplorable condition " of both kingdoms would require somewhat else " at their hands: but he would gladly know how " they had spent their time since the recess, (then " almost *eight months,*) but in declarations, remon- " strances, and invectives against his majesty and " his government; or in preparing matter for them. " Had his majesty invited them to any such ex- " pense of time, by beginning arguments of that " nature? Their leisure, or their inclination, was " not as they pretended: and what was their " printing and publishing their petitions to him; " their declarations and remonstrances of him; " their odious votes and resolutions, sometimes of " one, sometimes of both houses, against his ma- " jesty, (never in that manner communicated " before this parliament,) but an appeal to the " people? And, in God's name, let them judge of " the persons they had trusted.

" Their first quarrel was (as it was always, to let " them into their frank expressions of his majesty, " and his actions) against the malignant party; " whom they were pleased still to call, and never

" to prove to be, his evil counsellors. But indeed
" nothing was more evident, by their whole pro-
" ceedings, than that, by the malignant party, they
" intended all the members of both houses, who
" agreed not with them in their opinion, (thence
" had come their distinction of good and bad lords;
" of persons ill affected of the house of commons;
" who had been proscribed, and their names listed,
" and read in tumults,) and all the persons of the
" kingdom who approve not of their actions. So
" that, if in truth they would be ingenuous, and
" name the persons they intended; who would be
" the men, upon whom the imputation of malignity
" would be cast, but they who had stood stoutly and
" immutably for the religion, the liberties, the laws,
" for all public interest; (so long as there was any
" to be stood for;) they, who had always been,
" and still were, as zealous professors, and some of
" them as able, and earnest defenders of the pro-
" testant doctrine against the church of Rome, as
" any were; who had often and earnestly besought
" his majesty to consent, that no indifferent and
" unnecessary ceremony might be pressed upon
" weak and tender consciences, and that he would
" agree to a bill for that purpose? They to whose
" wisdom, courage, and counsel, the kingdom owed
" as much as it could to subjects; and upon whose
" unblemished lives, envy itself could lay no impu-
" tation; nor endeavoured to lay any, until their
" virtues brought them to his majesty's knowledge
" and favour? His majesty said, if the contrivers
" of that declaration would be faithful to them-
" selves, and consider all those persons of both
" houses, whom they, in their own consciences,

" knew to dissent from them in the matter and " language of that declaration, and in all those un- " dutiful actions, of which he complained, they " would be found in honour, fortune, wisdom, " reputation, and weight, if not in number, much " superior to them. So much for the evil coun- " sellors.

" Then what was the evil counsel itself? His " majesty's coming from London (where he, and " many, whose affections to him were very eminent, " were in danger every day to be torn in pieces) " to York; where his majesty, and all such as " would put themselves under his protection, might " live, he thanked God and the loyalty and affec- " tion of that good people, very securely: his not " submitting *himself absolutely* (and renouncing " *his* own understanding) to the votes and resolu- " tions of the contrivers of that declaration, when " they told his majesty, that they were above him; " and might, by his own authority, do with his " majesty what they pleased: and his not being " contented, that all his good subjects' lives and " fortunes should be disposed of by their votes; " but by the known law of the land. This was the " evil counsel given, and taken: and would not all " men believe, there needed much power and skill " of the malignant party, to infuse that counsel " into him? And then, to apply the argu- " ment the contrivers of that declaration made " for themselves, was it probable, or possible, that " such men, whom his majesty had mentioned, " (who must have so great a share in the misery,) " should take such pains in the procuring thereof; " and spend so much time, and run so many

" hazards, to make themselves slaves, and to ruin " the freedom of this nation?

" His majesty said, (with a clear and upright " conscience to God Almighty,) whosoever har- " boured the least thought in his breast, of ruining " or violating the public liberty, or religion of the " kingdom, or the just freedom and privilege of " parliament, let him be accursed; and he should be " no counsellor of his, that would not say *Amen*. " For the contrivers of that declaration, he had not " said any thing, which might imply any inclination " in them to be slaves. That which he had charged " them, was with invading the public liberty; and " his presumption might be very strong and vehe- " ment, that, though they had no mind to be slaves, " they were not unwilling to be tyrants: what is " tyranny, but to admit no rules to govern by, but " their own wills? And they knew the misery of " Athens was at the highest, when it suffered under " the thirty tyrants.

" His majesty said, if that declaration had told " him, (as indeed it might, and as in justice it ought " to have done,) that the precedents of any of his " ancestors did fall short, and much below what " had been done by him, this parliament, in point " of grace and favour to his people; he should not " otherwise have wondered at it, than at such a " truth, in such a place. But when, to justify their " having done more than ever their predecessors " did, it told his good subjects, (as most injuriously " and insolently it did,) that the highest and most " unwarrantable precedents of any of his predeces- " sors did fall short, and much below what had " been done to them this parliament by him, he

" must confess himself amazed, and not able to " understand them; and he must tell those un- " grateful men, (who durst tell their king, that they " might, without want of modesty and duty, depose " him,) that the condition of his subjects, when, by " whatsoever accidents and conjunctures of time, it " was at worst under his power, unto which, by no " default of his, they should be ever again reduced, " was, by many degrees, more pleasant and happy, " than that to which their furious pretence of refor- " mation had brought them. Neither was his " majesty afraid of the highest precedents of other " parliaments, which those men boldly (his good " subjects would call it worse) told him they might, " without want of modesty or duty, make their " patterns. *If he had no other security against* " *those precedents,* but their modesty and duty, he " was in a miserable condition, as all persons would " be who depended upon them.

" That declaration would not allow his inference, " that, by avowing the act of sir John Hotham, " they did destroy the title and interest of all his " subjects to their lands and goods; but confessed, " if they were found guilty of that charge, it were " indeed a very great crime. And did they not, " in that declaration, admit themselves guilty of " that very crime? Did they not say, Who doubts " but that a parliament may dispose of any thing, " wherein his majesty, or his subjects, had a right, " in such a way as that the kingdom might not be " in danger thereby? Did they not then call " themselves this parliament, and challenge that " power without his consent? Did they not extend " that power to all cases, where the necessity or

" common good of the kingdom was concerned?
" And did they not arrogate to themselves alone,
" the judgment of that danger, that necessity, and
" that common good of the kingdom? What was,
" if that were not, to unsettle the security of all
" men's estates; and to expose them to an arbitrary
" power of their own? If a faction should at any
" time by cunning, or force, or absence, or accident,
" prevail over a major part of both houses; and
" pretend that there were evil counsellors, a malig-
" nant party about the king; by whom the religion
" and liberty of the kingdom were both in danger,
" (this they might do, they had done it then,) they
" might take away, be it from the king, or people,
" whatsoever they in their judgments should think
" fit. This was lawful; they had declared it so:
" let the world judge, whether his majesty had
" charged them unjustly; and whether they were
" not guilty of the crime, which themselves con-
" fessed (being proved) was a great one; and how
" safely his majesty might commit the power, those
" people desired, into their hands; who, in all pro-
" bability, would be no sooner possessed of it, than
" they would revive that tragedy, which Mr. Hooker
" related of the anabaptists in Germany; who,
" talking of nothing but faith, and of the true fear
" of God, and that riches and honour were vanity;
" at first, upon the great opinion of their humility,
" zeal, and devotion, procured much reverence and
" estimation with the people; after, finding how
" many persons they had ensnared with their
" hypocrisy, they begun to propose to themselves
" to reform both the ecclesiastical and civil govern-
" ment of the state: then, because possibly they

" might meet with some opposition, they secretly " entered into a league of association; and shortly " after, finding the power they had gotten with the " credulous people, enriched themselves with all " kind of spoil and pillage; and justified themselves " upon our Saviour's promise, *The meek shall inherit* " *the earth;* and declared their title was the same " which the righteous Israelites had to the goods of " the wicked Egyptians: his majesty said, this " story was worth the reading at large, and needed " no application.

" But his majesty might by no means say, that " he had the same title to his town of Hull, and " the ammunition there, as any of his subjects had " to their land or money: that was a principle, " that *pulled up the foundation* of the liberty and " property of every subject. Why? because the " king's property in his towns, and in his goods " bought with the public money, as they conceive " his magazine at Hull to be, was inconsistent with " the subjects' property in their lands, goods, and " liberty. Did those men think, that as they " assumed a power of declaring law, (and what- " soever contradicted that declaration broke their " privileges,) so that they had a power of declaring " sense and reason, and imposing logic and sylo- " gisms on the schools, as well as law upon the " people? Did not all mankind know that several " men might have several rights and interests in " the self same house and land, and yet neither " destroy the other? Was not the interest of the " lord paramount consistent with that of the mesne " lord; and his with that of the tenant; and yet " their properties or interests not at all confounded?

" And why might not his majesty then have a full,
" lawful interest and property in his town of *Hull*,
" and yet his subjects have a property in their
" houses too? But he could not sell, or give away,
" at his pleasure, this town and fort, as a private
" man might do his lands or goods. What then?
" Many men have no authority to let or set their
" leases, or sell their land; have they therefore no
" title to them, or interest in them? May they be
" taken from them, because they cannot sell them?
" He said, the purpose of his journey to Hull was
" neither to sell, or give it away.

" But for the magazine, the munition there, that
" he bought with his own money, he might surely
" have sold that, lent, or given it away. No; he
" bought it with the public money, and the proof
" is, they conceive it so; and, upon that conceit,
" had voted, that it should be taken from him.
" Excellent justice! Suppose his majesty had kept
" that money by him, and not bought arms with it,
" would they have taken it from him upon that
" conceit: nay, might they not, wheresoever that
" money was, (for through how many hands soever
" it hath passed, it is the public money still, if ever
" it were,) seize it, and take it from the owners?
" But the towns, forts, magazine, and kingdom, is
" intrusted to his majesty; and he is a person
" trusted. His majesty said, he was so; God, and
" the law, had trusted him; and he had taken an
" oath to discharge that trust, for the good and
" safety of the people. What oaths they had taken,
" he knew not, unless those, which, in that violence,
" they had manifestly, maliciously violated. Might
" any thing be taken from a man, because he is

" trusted with it? Nay, may the person himself " take away the thing he trusts, when he will, and " in what manner he will? The law had been " otherwise, and, he believed, would be so held, " notwithstanding their declarations.

" But that trust ought to be managed by their " advice, and the kingdom had trusted them for " that purpose. Impossible, that the same trust " should be irrecoverably committed to his majesty, " and his heirs for ever, and the same trust, and a " power above that trust, (for so was the power " they pretended,) be committed to others. Did " not the people, that sent them, look upon them " as a body but temporary, and dissoluble at his " majesty's pleasure? And could it be believed, " that they *intended* them for his guardians and " controllers in the managing of that trust, which " God, and the law, had granted to him, and to " his posterity for ever? What the extent of the " commission and trust was, nothing could better " teach them than the writ, whereby they are met. " His majesty said, he called them (and without " that call they could not have come together) to " be his counsellors, not commanders, (for, how- " ever they frequently confounded them, the offices " were several,) and counsellors not in all things, " but in some things, *de quibusdam arduis*, &c. And " they would easily find among their precedents, " that queen Elizabeth, upon whose time all good " men looked with reverence, committed one Went- " worth, a member of the house of commons, to " the Tower, sitting the house, but for proposing " that they might advise the queen in a matter she " thought they had nothing to do to meddle in.

" But his majesty is trusted: and is he the only " person trusted? And might they do what their " own inclination and fury led them to? Were they " not trusted by his majesty, when he first sent for " them; and were they not trusted by him, when " he passed them his promise, that he would not " dissolve them? Could it be presumed, (and pre- " sumptions go far with them,) that he trusted " them with a power to destroy himself, and to " dissolve his government and authority? If the " people might be allowed to make an equitable " construction of the laws and statutes, a doctrine " avowed by them, would not all his good subjects " swear, he never intended by that act of continu- " ance, that they should do what they have since " done? Were they not trusted by those that sent " them? And were they trusted to alter the " government of church and state; and to make " themselves perpetual dictators over the king and " people? Did they intend, that the law itself " should be subject to their votes; and that what- " soever they said, or did, should be lawful, because " they declared it so? The oaths they had taken " who sent them, and without taking which, them- " selves were not capable of their place in parlia- " ment, made the one incapable of giving, and the " other of receiving such a trust; unless they could " persuade his good subjects, that his majesty is " the only supreme head and governor in all causes, " and over all persons, within his dominions; and " yet that they had a power over him to constrain " him to manage his trust, and govern his power, " according to their discretion.

" The contrivers of that declaration told his

" majesty, that they would never allow him (an " humble and dutiful expression) to be judge of " the law; that belonged only to them; they might, " and must, judge and declare. His majesty said, " they all knew what power the pope, under pre- " tence of interpreting scriptures, and declaring " articles of faith, though he decline the making " the one or the other, had usurped over men's " consciences; and that, under colour of having " power of ordering all things for the good of " men's souls, he entitles himself to all the king- " doms of the world: he would not accuse the " framers of that declaration, (how bold soever " they were with his majesty,) that they inclined " to popery, of which another maxim was, that all " men must submit their reason and understand- " ing, and the scripture itself, to that declaring " power of his: neither would he tell them, though " they had told him so, that they use the very " language of the rebels of Ireland: and yet they " say those rebels declare, that whatsoever they do " is for the good of the king and kingdom. But " his good subjects would easily put the case to " themselves, whether if the papists in Ireland in " truth were, or, by art or accident, had made " themselves the major part of both houses of par- " liament there; and had pretended the trust in " that declaration from the kingdom of Ireland; " thereupon had voted their religion and liberty to " be in danger of extirpation from a malignant " party of protestants and puritans; and therefore, " that they would put themselves into a posture of " defence; that the forts and the militia of that " kingdom were to be put into the hands of such

" persons, as they could confide in; that his ma-
" jesty was indeed trusted with the towns, forts,
" magazines, treasures, offices, and people of the
" kingdom, for the good, safety, and best advan-
" tage thereof; but as his trust is for the use of
" the kingdom, so it ought to be managed by the
" advice of both houses of parliament, whom the
" kingdom had trusted for that purpose, it being
" their duty to see it discharged according to the
" condition and true intent thereof, and by all pos-
" sible means to prevent the contrary: his majesty
" said, let all his good subjects consider, if that
" rebellion had been plotted with all that formality,
" and those circumstances declared to be legal, at
" least, according to the equitable sense of the law,
" and to be for the public good, and justifiable by
" necessity, of which they were the only judges,
" whether, though they might have thought their
" design to be more cunning, they would believe it
" the more justifiable.

" Nay, let the framers of that declaration ask
" themselves, if the evil counsellors, the malignant
" party, the persons ill affected, the popish lords,
" and their adherents, should prove now, or here-
" after, to be a major part of both houses, (for it
" had been declared, that a great part of both
" houses had been such, and so might have been
" the greater; nay, the greater part of the house
" of peers was still declared to be such, and his
" majesty had not heard of any of their conver-
" sion; and thereupon it had been earnestly pressed,
" that the major part of the lords might join with
" the major part of the house of commons,) would
" his majesty be bound to consent to all such

" alterations, as those men should propose to him, " and resolve to be for the public good: and should " the liberty, property, and security of all his sub- " jects, depend on what such votes should declare " to be law? Was the order of the militia unfit, " and unlawful, whilst the major part of the lords " refused to join in it, (as they had done two or " three several times, and it was never heard, be- " fore this parliament, that they should be so, and " so often pressed after a dissent declared,) and " did it grow immediately necessary for the public " safety, and lawful by the law of the land, as soon " as so many of the dissenting peers were driven " away, (after their names had been required at " the bar, contrary to the freedom and foundation " of parliament,) that the other opinion prevailed? " Did the life and liberty of the subject depend " upon such accidents of days, and hours, that it " was impossible for him to know his right in " either? God forbid.

" But now, to justify their invasion of his ma- " jesty's ancient, unquestioned, undoubted right, " settled and established on his majesty and his " posterity by God himself; confirmed and strength- " ened by all possible titles of compact, laws, oaths, " perpetual and uncontradicted custom, by his " people; what had they alleged to declare to the " kingdom, as they say, the obligation that lieth " upon the kings of this realm to pass all such " bills, as are offered unto them by both houses of " parliament? A thing never heard of till that " day: an oath, (authority enough for them to " break all theirs,) that is, or ought to be, taken " by the kings of this realm, which is as well to

" remedy by law such inconveniences the king may
" suffer, as to keep and protect the laws already in
" being: and the form of this oath, they said, did
" appear upon a record there cited; and by a clause
" in the preamble of a statute, made in the 25th
" year of Edw. III.

" His majesty said, he was not enough ac-
" quainted with records to know whether that were
" fully and ingenuously cited; and when, and how,
" and why, the several clauses had been inserted,
" or taken out of the oaths formerly administered
" to the kings of this realm: yet he could not
" possibly imagine the assertion that declaration
" made, could be deduced from the words or the
" matter of that oath: for unless they had a power
" of declaring Latin, as well as law, sure, *elegerit*,
" signified *hath* chosen, as well as *will* choose; and
" that it signified so there, (besides the authority
" of the perpetual practice of all succeeding ages;
" a better interpreter than their votes,) it was
" evident, by the reference it had to customs, *con-*
" *suetudines quas vulgus elegerit:* and could that be
" a custom, which the people should choose after
" this oath taken? And should a king be sworn
" to defend such customs? Besides, could it be
" imagined, that he should be bound by oath to
" pass such laws, (and such a law was the bill they
" brought to him of the militia,) as should put the
" power, wherewith he was trusted, out of himself,
" into the hands of other men; and divert and
" disable himself of all possible power to perform
" the great business of the oath; which was to
" protect them? If his majesty gave away all his
" power, or if it were taken from him, he could

" not protect any man: and what discharge would " it be for his majesty, either before God or man, " when his good subjects, whom God, and the law, " had committed to his charge, should be worried " and spoiled, to say that he trusted others to pro- " tect them? That is, to do that duty for him, " which was essentially and inseparably his own. " But that all his good subjects might see how " faithfully these men, who assumed this trust from " them, desired to discharge their trust; he would " be contented to publish, for their satisfaction, (a " matter notorious enough, but what he himself " never thought to have been put to publish, and " of which the framers of that declaration might " as well have made use, as of a Latin record they " knew many of his good subjects could not, and " many of themselves did not understand,) the oath " itself he took at his coronation, warranted and " enjoined to it by the customs and directions of " his predecessors; and the ceremony of theirs, " and his taking it; they might find it in the re- " cords of the exchequer; this it is:

The sermon being done, the archbishop goeth to the king, and asks his willingness to take the oath usually taken by his predecessors:

The king sheweth himself willing, ariseth and goeth to the altar; the archbishop administereth these questions, and the king answers them severally:

Episcopus. Sir, will you grant and keep, and by your oath confirm to the people of England, the

laws and customs to them granted by the kings of England, your lawful and religious predecessors: and namely the laws, customs, and franchises granted to the clergy, by the glorious king saint Edward, your predecessor, according to the laws of God, the true profession of the gospel established in this kingdom, and agreeable to the prerogative of the kings thereof, and the ancient customs of this realm?

Rex. I grant, and promise to keep them.

Episc. Sir, will you keep peace, and godly agreement entirely, (according to your power,) both to God, the holy church, the clergy, and the people?

Rex. I will keep it.

Episc. Sir, will you, (to your power,) cause law, justice, and discretion, in mercy and truth, to be executed in all your judgments?

Rex. I will.

Episc. Sir, will you grant to hold, and keep the laws, and rightful customs, which the commonalty of this your kingdom have; and will you defend and uphold them to the honour of God, so much as in you lieth?

Rex. I grant, and promise so to do.

Then one of the bishops reads this admonition to the king, before the people, with a loud voice.

Our lord and king, we beseech you to pardon, and to grant, and to preserve unto us, and to the churches committed to our charge, all canonical

privileges, and due law, and justice; and that you would protect and defend us, as every good king, in his kingdom, ought to be protector and defender of the bishops, and the churches under their government.

The king answereth:

With a willing and devout heart I promise, and grant my pardon; and that I will preserve and maintain to you, and the churches committed to your charge, all canonical privileges, and due law, and justice; and that I will be your protector and defender, to my power, by the assistance of God, as every good king, in his kingdom, in right ought to protect and defend the bishops, and churches under their government.

Then the king ariseth, and is led to the communion-table: where he makes a solemn oath, in sight of all the people, to observe the premises; and, laying his hand upon the book, saith:

THE OATH.

The things which I have before promised, I shall perform, and keep: so help me God, and the contents of this book.

His majesty said, "all the world might judge, "whether such doctrine, or such conclusions, as "those men brought, could follow, or have the "least pretence, from that oath: for the preamble "of the statute they cited, that told his majesty, "that the king was bound to remedy, by law, the "mischiefs and damages which happen to his

" people: his majesty said, he was so; but asked, " whether the king were bound, by the preamble " of that statute, to renounce his own judgment, " his own understanding in those mischiefs, and of " these remedies? How far forth he was obliged " to follow the judgment of his parliament, that " declaration still confessed to be a question. " Without question, he said, none could take upon " them to remedy even mischiefs, but by law, for " fear of greater mischiefs than those they go " about to remedy.

" But his majesty was bound in justice to con- " sent to their proposals, because there was a trust " reposed in his majesty to preserve the kingdom, " by making new laws: he said, he was glad there " was so; then he was sure no new law could be " made without his consent; and that the gentle- " ness of his answer, *Le roy s'avisera*, if it be no " denial, it is no consent; and then the matter " was not great. They would yet allow his " majesty a greater latitude of granting, or denying, " as he should think fit, in public acts of grace, as " pardons, or the like grants of favour: why did " they so? If those pardons, and public acts of " grace, were for the public good, (which they " might vote them to be,) they would then be " absolutely in their own disposal; but had they " left that power to his majesty? They had sure, " at least, shared it with him; how else had they " got the power to pardon sergeant-major-general " Skippon, (a new officer of state, and a subject " his majesty had no authority to send to speak " with,) and all other persons employed by them, " and such as had employed themselves for them,

" not only for what they had done, but for what " they should do? If they had power to declare " such actions to be no treason, which his ma- " jesty would not pardon; such actions to be " treason, which need no pardon; the latitude " they allowed his majesty of granting, or deny- " ing of pardons, was a jewel they might still be " content to suffer his majesty to wear in his " crown, and never think themselves the more in " danger.

" All this considered, the contriver of that mes- " sage, (since they would afford his majesty no " better title,) whom they were angry with, did " not conceive the people of this land to be so void " of common sense, as to believe his majesty, " who had denied no one thing for the ease and " benefit of them, which in justice or prudence " could be asked, or in honour and conscience " could be granted, to have cast off all care of the " subject's good; and the framers and devisers of " that declaration (who had endeavoured to render " his majesty odious to his subjects, and them dis- " loyal to him, from pretending such a trust in " them) to have only taken it up: neither, he was " confident, would they be satisfied, when they " felt the misery and the burdens, which the fury " and the malice of those people would bring upon " them, with being told that calamity proceeded " from evil counsellors, whom nobody could name; " from plots and conspiracies, which no man could " discover; and from fears and jealousies, which " no man understood: and therefore, that the " consideration of it should be left to the con- " science, reason, affection, and loyalty of his

" good subjects, who do understand the govern-
" ment of this kingdom, his majesty said, he was
" well content.

" His majesty asked, where the folly and mad-
" ness of those people would end, who would have
" his people believe, that his absenting himself
" from London, where, with his safety, he could
" not stay, and the continuing his magazine at
" Hull, proceeded from the secret plots of the
" papists here, and to advance the design of the
" papists in Ireland? But it was no wonder that
" they, who could believe sir John Hotham's shut-
" ting his majesty out of Hull, to be an act of
" affection and loyalty, would believe that the
" papists, or the Turk, persuaded him to go
" thither.

" And could any sober man think that declara-
" tion to be the consent of either, or both houses
" of parliament, unawed either by fraud or force;
" which (after so many thanks, and humble ac-
" knowledgments of his gracious favour in his
" message of the twentieth of January, so often,
" and so unanimously presented to his majesty
" from both houses of parliament) now told him,
" that the message at first was, and, as often as it
" had been since mentioned by him, had been
" a breach of privilege, (of which they had not
" used to have been so negligent, as in four
" months not to have complained, if such a breach
" had been,) and that their own method of pro-
" ceeding should not be proposed to them: as if
" his majesty had only authority to call them to-
" gether, not to tell them what they were to do,
" not so much as with reference to his own affairs.

" What their own method had been, and whither " it had led them, and brought the kingdom, " all men see; what his would have been, if " seasonably and timely applied unto, all men " might judge; his majesty would speak no more " of it.

" But see now what excellent instances they " had found out, to prove an inclination, if not in " his majesty, in some about him, to civil war: " their going with his majesty to the house of " commons, (so often urged, and so fully answered,) " their attending on him to Hampton-court, and " appearing in a warlike manner at Kingston upon " Thames; his going to Hull; their drawing their " swords at York, demanding, who would be for " the king? the declaring sir John Hotham traitor, " before the message sent to the parliament; the " propositions to the gentry in Yorkshire, to assist " his majesty against sir John Hotham, before he " had received an answer from the parliament: all " desperate instances of an inclination to a civil " war. Examine them again: the manner and " intent of his going to the house of commons, " he had set forth at large, in his answer to their " declaration of the nineteenth of May; all men " might judge of it. Next, did they themselves " believe, to what purpose soever that rumour had " served their turn, that there was an appearance " in warlike manner at Kingston upon Thames? " Did they not know, that whensoever his majesty " had been at Hampton-court, since his first com- " ing to the crown, there was never a less appear- " ance, or in a less warlike manner, than at the " time they meant? He said, he would say no

" more, but that his appearance in a warlike man-
" ner at Kingston upon Thames, and theirs at
" Kingston upon Hull, was very different. What
" was meant by the drawing of swords at York,
" and demanding, who would be for the king,
" must be inquired at London; for, his majesty
" believed, very few in York understood the mean-
" ing of it. For his going to Hull, which they
" would by no means endure should be called a
" visit, whether it were not the way to prevent,
" rather than to make a civil war, was very ob-
" vious: and the declaring him a traitor in the
" very act of his treason, would never be thought
" unseasonable, but by those who believed him to
" be a loving and loyal subject; no more than the
" endeavouring to make the gentlemen of that
" county sensible of that treason, (which they were
" in an honourable and dutiful degree,) before he
" received the answer from both houses of parlia-
" ment: for, if they had been, as his majesty ex-
" pected they should have been, sensible of that
" intolerable injury offered to him, might he not
" have had occasion to have used the affection of
" these gentlemen? Was he sure that sir John
" Hotham, who had kept him out without their
" order, (he spake of a public order,) would have
" let him in, when they had forbidden him? And
" if they had not such a sense of him, (as the case
" falls out to be,) had he not more reason to make
" propositions to those gentlemen, whose readiness
" and affection he, or his posterity, would never
" forget?

" But this business of Hull sticks still with them;
" and finding his questions hard, they are pleased

" to answer his majesty, by asking other questions " of him: no matter for the exceptions against the " earl of Newcastle, (which have been so often " urged, as one of the principal grounds of their " fears and jealousies; and which drew that ques- " tion from him,) they asked his majesty, why, " when he held it necessary that a governor should " be placed in Hull, sir John Hotham should be " refused by him, and the earl of Newcastle sent " down? His majesty answered, because he had " a better opinion of the earl of Newcastle than of " sir John Hotham; and desired to have such a " governor over his towns, if he must have any, as " should keep them for, and not against him: and " if his going down were in a more private way " than sir John Hotham's, it was because he had " not that authority to make a noise, by levying " and billeting of soldiers, in a peaceable time, " upon his good subjects, as it seemed sir John " Hotham carried down with him. And the im- " putation which is cast by the way upon that earl, " to make his reputation not so unblemished, as he " conceived, and the world believes it to be; and " which, though it was not ground enough for " judicial proceeding, (it is wonder it was not,) " was yet ground enough of suspicion, must be the " case of every subject in England, (and he wished " it went no higher,) if every vile aspersion, con- " trived by unknown hands, upon unknown or un- " imaginable grounds, which is the way practised " to bring any virtuous and deserving men into " obloquy, should receive the least credit or coun- " tenance in the world.

" They tell him, their exception to those gentle-

" men, who delivered their petition to him at York,
" was, that they presumed to take the style upon
" them of all the gentry and inhabitants of that
" county; whereas, they say, so many more of as
" good quality as themselves, of that county, were
" of another opinion; and have since, by their pe-
" tition to his majesty, disavowed that act. Their
" information in that point, his majesty said, was
" no better than it useth to be; and they would
" find, that neither the number or the quality of
" those who have, or will disavow that petition,
" was as they imagine; though too many weak
" persons were misled (which they did, and would
" every day more and more understand) by the
" faction, skill, and industry of that true ma-
" lignant party, of which he did, and had reason
" to complain. They said, they had received no
" petition of so strange a nature: what nature?
" Contrary to the votes of both houses: that is,
" they had received no petition they had no mind to
" receive. But his majesty had told them again,
" and all his good subjects would tell them, that
" they had received petitions, with joy and appro-
" bation, against the votes of both houses of their
" predecessors, confirmed and established into laws
" by the consent of his majesty, and his ancestors;
" and allowed those petitions to carry the style,
" and to seem to carry the desires of cities, towns,
" and counties, when, of either city, town, or
" county, very few known or considerable persons
" had been privy to such petitions: whereas, in
" truth, the petitions delivered to his majesty,
" against which they except, carried not the style
" of all, but some of the gentry and inhabitants;

" and implied no other consent, than such as went " visibly along with it.

" But his majesty was all this while in a mis- " take; the magazine at Hull was not taken from " him. Who told them so? They who assure " them, (and whom without breaking their privi- " leges they must believe,) that sir John Hotham's " shutting the gates against his majesty, and re- " sisting his entrance with armed men, (though he " thought it in defiance of him,) was indeed in " obedience to him, and his authority; and for his " service, and the service of the kingdom. He " was to let none in, but such as came with his " majesty's authority, signified by both houses of " parliament: himself and they had ordered it so. " And therefore he kept his majesty out, only till " his majesty, or he himself, might send for their " directions. His majesty said, he knew not whe- " ther the contrivers of that declaration meant, " that his good subjects should so soon understand, " though it was plain enough to be understood, the " meaning of the king's authority, signified by " both houses of parliament: but sure the world " would now easily discern in what miserable case " he had, by this time, been, (it is bad enough as " it is,) if he had consented to their bill, or to their " ordinance of the militia, and given those men " power to have raised all the arms of the king- " dom against him, for the common good, by his " own authority: would they not, as they had kept " him from Hull, by this time have beaten him " from York, and pursued him out of the kingdom, " in his own behalf? Nay, might not this muni- " tion, which is not taken from him, be employed

" against him; not against his authority, signified " by both houses of parliament, but only to kill " those ill counsellors, the malignant party, which " is about him, and yet for his good, for the public " good, (they would declare it so,) and so no trea- " son within the statute of 25 Ed. III.? which, " by their interpretation, had left his majesty, the " king of England, absolutely less provided for, in " point of safety, than the meanest subject of the " kingdom: and every subject of this land (for " whose security that law was made, that they " may know their duty, and their danger in break- " ing of it) may be made a traitor when these " men please to say, he is so. But did they think " that, upon such an interpretation, (upon pretence " of authority of book cases and precedents, which, " without doubt, they would have cited, if they " had been to their purpose,) out of which nothing " can result, but confusion to king and people, " would find any credit with his good subjects? " And that so excellent a law, made both for se- " curity of king and people, shall be so eluded, by " an interpretation no learned lawyer in England " would at this hour, he believed, set under his " hand, notwithstanding the authority of that de- " claration; which, he hoped, shall bring nothing " but infamy upon the contrivers of it?

" Now to their privileges: though it be true, " they say, that their privileges do not extend to " treason, felony, or breach of the peace, so as to " exempt the members from all manner of process " and trial; yet it doth privilege them in the way " or method of their trial: the cause must be first " brought before them, and their consent asked,

" before you can proceed. Why then their privi-
" leges extend as far in these cases, as in any that
" are most unquestioned; for no privilege what-
" soever exempts them from all manner of process
" and trial, if you first acquaint the house with
" it, and they give you leave to proceed by those
" processes, or to that trial: but, by this rule, if a
" member of either house commit a murder, you
" must by no means meddle with him, till you
" have acquainted that house of which he is a
" member, and received their direction for your
" proceeding, assuring yourself, he will not stir
" from that place where you left him, till you re-
" turn with their consent; should it be otherwise,
" it would be in the power of every man, under
" the pretence of murder, to take one after an-
" other, and as many as he pleaseth; and so, con-
" sequently, bring a parliament to what he pleaseth,
" when he pleaseth. If a member of either house
" shall take a purse at York, (he may as probably
" take a purse from a subject, as arms against the
" king,) you must ride to London, to know what
" to do, and he may ride with you, and take a new
" purse every stage, and must not be apprehended,
" or declared a felon, till you have asked that
" house, of which he is a member; should it be
" otherwise, it might be in every man's power to
" accuse as many members as he would of taking
" purses; and so bring a parliament, and so all
" parliaments, to nothing. Would these men be
" believed? And yet they make no doubt but
" every one, who hath taken the protestation,
" would defend this doctrine with his life and for-
" tune. Would not his subjects believe, that they

" had imposed a pretty protestation upon them;
" and that they had a very good end in the doing
" of it, if it obligeth them to such hazards, to such
" undertakings? Must they forget or neglect his
" majesty's person, honour, and estate, which, by
" that protestation, they are bound to defend; and,
" in some degree, do understand? And must they
" only venture their lives and fortunes to justify
" privileges they know not, or ever heard of be-
" fore? Or are they bound by that protestation
" to believe, that the framers of that declaration
" have power to extend their own privileges, as
" far as they think fit; and to contract his ma-
" jesty's rights, as much as they please; and that
" they are bound to believe them in either, and to
" venture their lives and fortunes in that quarrel?

" From declaring how mean a person his majesty
" is, and how much the kingdom hath been mis-
" taken in the understanding of the statute of the
" 25 E. III. concerning treason, and that all men
" need not fear levying war against him, so they
" have their order to warrant them; they proceed,
" in the spirit of declaring, to certify his subjects
" in the mistakings, which, near one hundred and
" fifty years, have been received concerning the
" statute of the eleventh year of Hen. VII. ch. 1.
" (a statute all good subjects will read with com-
" fort,) and tell them, that the serving of the king
" for the time being cannot be meant of Perkin
" Warbeck, or of any that should call himself
" king; but such a one as is allowed and received
" by the parliament in the behalf of the kingdom:
" and was not his majesty so allowed? However,
" through a dark mist of words, and urging their

" old privileges, (which, he hoped, he had suffi-
" ciently answered, and will be every day more
" confuted by the actions of his good subjects,)
" they conclude, that those that shall guide them-
" selves by the judgment of parliament, which they
" say is their own, ought, whatsoever happen, to
" be secure, and free from all account and penal-
" ties, upon the ground and equity of that very
" statute: how far their own chancellors may help
" them in that equity, his majesty knew not; but
" by the help of God, and that good law, he would
" allow no such equity: so then, here is the doc-
" trine of that declaration; and these are the po-
" sitions of the contrivers of it.

1. That they have an absolute power of declaring the law; and that whatsoever they declare to be so, ought not to be questioned by his majesty, or any subject: so that all right and safety of him and his people must depend upon their pleasure.

2. That no precedents can be limits to bound their proceedings: so they may do what they please.

3. That a parliament may dispose of any thing, wherein the king or subject hath a right, for the public good; that they, without the king, are this parliament, and judge of this public good; and that his majesty's consent is not necessary: so the life and liberty of the subject, and all the good laws made for the security of them, may be disposed of, and repealed by the major part of both houses at any time present, and by any ways and means procured so to be; and his majesty had no power to protect them.

4. That no member of either house ought to be troubled or meddled with for treason, felony, or any other crime, without the cause first brought before them, that they may judge of the fact, and their leave obtained to proceed.

5. That the sovereign power resides in both houses of parliament; and that his majesty had no negative voice: so then his majesty himself must be subject to their commands.

6. That the levying of forces against the personal commands of the king, (though accompanied with his presence,) is not levying war against the king; but the levying war against his laws and authority, (which they have power to declare, and signify,) though not against his person, is levying war against the king: and that treason cannot be committed against his person, otherwise than as he is intrusted with the kingdom, and discharging that trust; and that they have a power to judge, whether he discharges this trust or no.

7. That if they should make the highest precedents of other parliaments their patterns, there would be no cause to complain of want of modesty or duty in them; that is, they may depose his majesty when they will, and are not to be blamed for so doing.

"And now, (as if the mere publishing of their "resolutions would not only prevail with the "people, but, in the instant, destroy all spirit and "courage in his majesty to preserve his own right "and honour,) they had since taken the boldness "to assault him with certain propositions; which "they call the most necessary effectual means for

" the removing those jealousies and differences " between his majesty and his people; that is, " that he would be content to divest himself of all " his regal rights and dignities; be content with " the title of a king, and suffer them, according " to their discretion, to govern him and the king- " dom, and to dispose of his children. How suit- " able and agreeable this doctrine and these de- " mands were to the affection of his loving sub- " jects, under whose trust these men pretend to " say and do these monstrous things; and to de- " sign not only the ruin of his person, but of " monarchy itself, (which, he might justly say, was " more than ever was offered in any of his prede- " cessors' times; for though the person of the " king hath been sometimes unjustly deposed, yet " the regal power was never, before this time, " struck at,) he believes his good subjects would " find some way to let them and the world know: " and, from this time, such who had been misled, " by their ill counsels, to have any hand in the " execution of the militia, would see to what ends " their service was designed; and therefore, if " they should presume hereafter to meddle in it, " they must expect, that he would immediately " proceed against them as actual raisers of sedition, " and as enemies to his sovereign power.

" His majesty said, he had done: and should now " expect the worst actions these men had power " to commit against him; worse words they could " not give him: and he doubted not, but the major " part of both houses of parliament, when they " might come together with their honour and " safety, (as well those who were surprised at the

" passing of it, and understood not the malice in " it, and the confusion that must grow by it, if " believed; as those who were absent, or involved,) " would so far resent the indignity offered to his " majesty, the dishonour to themselves, and the " mischief to the whole kingdom, by that declara- " tion; that they would speedily make the foul " contrivers of it instances of their exemplary " justice; and brand them, and their doctrine, " with the marks of their perpetual scorn and in- " dignation."

Whilst this answer and declaration of his majesty was preparing and publishing, which was done with all imaginable haste, and to which they made no reply till many months after the war was begun, they proceeded in all their counsels towards the lessening his majesty, both in reputation and power; and towards the improving their own interests: for the first, upon the advantage of their former vote, of the king's intention to levy war against his parliament, in the end of May they published orders, " That the sheriffs of the adjacent " counties should hinder, and make stay of all " arms and ammunition carrying towards York, " until they had given notice thereof unto the " lords and commons; and should have received " their further direction; and that they should " prevent the coming together of any soldiers, " horse or foot, by any warrant of his majesty, " without their advice or consent:" which they did, not upon any opinion that there would be any arms or ammunition carrying to his majesty, they having entirely possessed themselves of all his stores; or that they indeed believed, there was

any commission or warrant to raise soldiers, which they well knew there was not; but that, by this means, their agents in the country (which many sheriffs and justices of peace were; and most constables, and inferior officers) might, upon this pretence, hinder the resorting to his majesty, which they did with that industry, that few, who, foreseeing the design of those orders, did not decline the great roads, and made not pretences of travelling to some other place, [and] travelled in any equipage towards his majesty, escaped without being stayed by such watches: and most that were so stayed, finding it no boot to attend the resolution or justice of the houses, who always commended the vigilance of their ministers, and did not expect they should be bound up by the letter of their orders, made shift to escape with their own persons, and were contented to leave their horses behind them; they who attended to be repaired by the justice of the houses, finding so many delays, and those delays to be so chargeable, and themselves exposed to so many questions, and such an inquisition, that they thought their liberty a great prize, whatever they left behind them.

For the improving their interest and dependence, though they had as much evidence of the affections of the city as could reasonably be expected; and, by their exercise of the militia, had united them in a firm bond, the communication of guilt; yet they well understood their true strength consisted in the rabble of the people; for the greatest part of the substantial and wealthy citizens, being not of their party, and except some

expedient were found out, whereby they might be involved, and concerned in their prosperity or ruin, they thought themselves not so much in truth possessed of that city, as they seemed to be. They had heard it said, that Edward IV. of England recovered the city of London, and by that the kingdom, by the vast debts that he owed there; men looking upon the helping of him to the crown, as the helping themselves to their money, which was else desperate. Upon this ground, they had taken the first opportunity of borrowing great sums of them, in the beginning of this parliament; when the richest and best affected men, upon a presumption that hereby the Scots' army would suddenly march into their own country, and the English as soon be disbanded, cheerfully furnished that money. Upon this ground they still forbore to repay those sums, disposing what was brought in upon the bills of subsidy, and other public bills, to other purposes. And now, to make themselves more sure of them, they borrowed another sum of 100,000*l.* of them, upon pretence of the great exigences of Ireland; which was their two edged sword, to lead them into the liberty of laying what imputations they thought most convenient for their purposes, upon the king and queen; and to draw what money they thought fit from the city; and served them now to another important end, to raise soldiers; but that service itself, in order to suppressing the rebellion there, was not, in any degree, advanced. Having, by these means, thus provided for their main ends, they made the people believe they were preparing propositions to send to the king; and the people were yet so innocent as

to believe, that they would never send propositions that were not reasonable: for though the unusual acts which had been done by the king, as the going to the house of commons, and demanding the members there, had put them into as unusual apprehensions; and those, by the warmth and heat of declarations and answers, had drawn from them, by degrees, another kind of language, than had before been used; yet most men believed, when those passions were digested, and that any propositions should be made by them, (which the king had long called for and invited,) that they could not but be such, as would open a door for that affection, confidence, duty, and trust, upon which the peace of the kingdom might be reasonably founded. And propositions they did send to the king, in the beginning of June; which were presented to his majesty, with great solemnity, by their committee resident there; which, in this place, are very necessary to be inserted in the very terms in which they were presented, as followeth:

The humble petition and advice of both houses of parliament, with nineteen propositions and the conclusion, sent unto his majesty the second of June, 1642.

"Your majesty's most humble and faithful sub-
"jects, the lords and commons in parliament,
"having nothing in their thoughts and desires,
"more precious and of higher esteem, next to the
"honour and immediate service of God, than the
"just and faithful performance of their duty to
"your majesty and this kingdom: and being very

" sensible of the great distractions and distempers,
" and of the imminent dangers and calamities,
" which those distractions and distempers are like
" to bring upon your majesty, and your subjects;
" (all which have proceeded from the subtle inform-
" ations, mischievous practices, and evil counsels
" of men disaffected to God's true religion; your
" majesty's honour and safety; and the public
" peace, and prosperity of your people;) after a
" serious observation of the causes of those mis-
" chiefs, do, in all humility and sincerity, present
" to your majesty their most dutiful petition and
" advice: that, out of your princely wisdom for the
" establishing your own honour and safety, and
" gracious tenderness of the welfare and security
" of your subjects and dominions, you will be
" pleased to grant and accept these their humble
" desires and propositions, as the most necessary
" and effectual means, through God's blessing, of
" removing those jealousies and differences, which
" have unhappily fallen betwixt you and your
" people, and procuring both your majesty and
" them a constant course of honour, peace, and
" happiness.

The propositions.

1. " That the lords and others of your majesty's
" privy-council, and such great officers and
" ministers of state, either at home or beyond
" the seas, may be put from your privy-council,
" and from those offices and employments,
" excepting such as shall be approved by both
" houses of parliament: and that the persons,
" put into the places and employments of those
" that are removed, may be approved of by

" both houses of parliament: and that privy-
" counsellors shall take an oath, for the due
" execution of their places, in such form as
" shall be agreed upon by both houses of
" parliament.

2. " That the great affairs of the kingdom may not
" be concluded, or transacted, by the advice of
" private men, or by any unknown, or unsworn
" counsellors; but that such matters as concern
" the public, and are proper for the high court
" of parliament, which is your majesty's great
" and supreme council, may be debated, resolved,
" and transacted only in parliament, and not
" elsewhere: and such as shall presume to do
" any thing to the contrary shall be reserved to
" the censure and judgment of parliament: and
" such other matters of state, as are proper for
" your majesty's privy-council, shall be debated
" and concluded by such of the nobility, and
" others, as shall, from time to time, be chosen
" for that place, by approbation of both houses
" of parliament: and that no public act con-
" cerning the affairs of the kingdom, which are
" proper for your privy-council, may be es-
" teemed of any validity, as proceeding from
" the royal authority, unless it be done by the
" advice and consent of the major part of the
" council, attested under their hands: and that
" your council may be limited to a certain
" number, not exceeding twenty-five, nor under
" fifteen: and if any counsellor's place happen
" to be void in the interval of parliament, it
" shall not be supplied without the assent of

" the major part of the council; which choice
" shall be confirmed at the next sitting of
" parliament, or else to be void.

3. " That the lord high steward of England, lord
" high constable, lord chancellor, or lord keeper
" of the great seal, lord treasurer, lord privy
" seal, earl marshal, lord admiral, warden of
" the cinque ports, chief governor of Ireland,
" chancellor of the exchequer, master of the
" wards, secretaries of state, two chief justices
" and chief baron, may always be chosen with
" the approbation of both houses of parliament;
" and, in the intervals of parliaments, by assent
" of the major part of the council, in such
" manner as is before expressed in the choice
" of counsellors.

4. " That he, or they, unto whom the government
" and education of the king's children shall be
" committed, shall be approved of by both
" houses of parliament; and, in the intervals of
" parliaments, by the assent of the major part
" of the council, in such manner as is before
" expressed in the choice of counsellors; and
" that all such servants as are now about them,
" against whom both houses shall have any
" just exceptions, shall be removed.

5. " That no marriage shall be concluded, or
" treated, for any of the king's children, with
" any foreign prince, or other person what-
" soever, abroad or at home, without the con-
" sent of parliament, under the penalty of a
" præmunire, unto such as shall conclude or
" treat any marriage as aforesaid: and that

" the said penalty shall not be pardoned, or
" dispensed with, but by the consent of both
" houses of parliament.

6. " That the laws in force against Jesuits, priests,
" and popish recusants, be strictly put in exe-
" cution, without any toleration, or dispensation
" to the contrary: and that some more effectual
" course may be enacted, by authority of par-
" liament, to disable them from making any
" disturbance in the state; or eluding the laws
" by trusts, or otherwise.

7. " That the votes of popish lords in the house of
" peers may be taken away, so long as they
" continue papists: and that your majesty will
" consent to such a bill, as shall be drawn, for
" the education of the children of papists, by
" protestants, in the protestant religion.

8. " That your majesty will be pleased to consent,
" that such a reformation be made of the church-
" government and liturgy, as both houses of
" parliament shall advise; wherein they intend
" to have consultations with divines, as is ex-
" pressed in their declaration to that purpose:
" and that your majesty will contribute your
" best assistance to them, for the raising of a
" sufficient maintenance for preaching ministers
" through the kingdom: and that your majesty
" will be pleased to give your consent to laws
" for the taking away of innovations, and super-
" stition, and of pluralities, and against scan-
" dalous ministers.

9. " That your majesty will be pleased to rest
" satisfied with that course, that the lords and
" commons have appointed, for ordering of the

" militia, until the same shall be further settled
" by a bill: and that your majesty will recall
" your declarations and proclamations against
" the ordinance made by the lords and commons
" concerning it.

10. " That such members of either house of parlia-
" ment, as have, during this present parliament,
" been put out of any place and office, may
" either be restored to that place and office, or
" otherwise have satisfaction for the same, upon
" the petition of that house, whereof he or they
" are members.

11. " That all privy-counsellors and judges may
" take an oath, the form whereof to be agreed
" on and settled by act of parliament, for the
" maintaining of the Petition of Right, and of
" certain statutes made by this parliament,
" which shall be mentioned by both houses of
" parliament; and that an inquiry of all breaches
" and violations of those laws may be given in
" charge by the justices of the king's bench
" every term, and by the judges of assize in
" their circuits, and justices of the peace at
" the sessions, to be presented and punished
" according to law.

12. " That all the judges, and all the officers, placed
" by approbation of both houses of parliament,
" may hold their places *quamdiu bene se gesse-*
" *rint.*

13. " That the justice of parliament may pass upon
" all delinquents, whether they be within the
" kingdom, or fled out of it: and that all per-
" sons cited by either house of parliament may
" appear, and abide the censure of parliament.

14. "That the general pardon, offered by your ma-
"jesty, may be granted with such exceptions,
"as shall be advised by both houses of parlia-
"ment.

15. "That the forts and castles of this kingdom
"may be put under the command and custody
"of such persons, as your majesty shall ap-
"point, with the approbation of your parlia-
"ment; and, in the intervals of parliament,
"with approbation of the major part of the
"council, in such manner as is before expressed
"in the choice of counsellors.

16. "That the extraordinary guards, and military
"forces now attending your majesty, may be
"removed and discharged: and that, for the
"future, you will raise no such guards or ex-
"traordinary forces, but, according to the law,
"in case of actual rebellion, or invasion.

17. "That your majesty will be pleased to enter
"into a more strict alliance with the states of
"the United Provinces, and other neighbour
"princes and states of the protestant religion,
"for the defence and maintenance thereof,
"against all designs and attempts of the pope,
"and his adherents, to subvert and suppress
"it; whereby your majesty will obtain great
"access of strength and reputation, and your
"subjects be much encouraged and enabled, in
"a parliamentary way, for your aid, and assist-
"ance, in restoring your royal sister, and her
"princely issue, to those dignities and do-
"minions, which belong unto them; and re-
"lieving the other distressed protestant princes,
"who have suffered in the same cause.

18. "That your majesty will be pleased by act of "parliament to clear the lord Kimbolton, and "the five members of the house of commons, "in such manner that future parliaments may "be secured from the consequence of that evil "precedent.

19. "That your majesty will be graciously pleased "to pass a bill for restraining peers made here-"after, from sitting or voting in parliament, "unless they be admitted thereunto with the "consent of both houses of parliament.

"And these our humble desires being granted "by your majesty, we shall forthwith apply our-"selves to regulate your present revenue, in such "sort as may be for your best advantage; and "likewise to settle such an ordinary and constant "increase of it, as shall be sufficient to support "your royal dignity in honour, and plenty, beyond "the proportion of any former grants of the sub-"jects of this kingdom to your majesty's royal "predecessors: we shall likewise put the town of "Hull into such hands, as your majesty shall "appoint with the consent and approbation of par-"liament; and deliver up a just account of all the "magazine; and cheerfully employ the uttermost "of our power and endeavours, in the real ex-"pression, and performance of our most dutiful "and loyal affections, to the preserving and main-"taining the royal honour, greatness, and safety of "your majesty, and your posterity."

The same day that these articles of deposition were passed the houses, that his majesty might see

how unable he was like to be to contend with them, they declared by an order the same day, printed, and carefully dispersed, "that they had received "information," (and indeed their informations were wonderful particular, from all parts beyond sea, of whatsoever was agitated on the king's behalf; as well as from his court, of whatsoever was designed, or almost but thought of to himself: besides they could pretend to receive information of whatsoever would any way conduce to their purpose, true or false,) "that the jewels of the crown (which, they "said, by the law of the land ought not to be "aliened) were either pawned or sold in Amster-"dam, or some other parts beyond the seas; and "thereby great sums of money provided to be re-"turned to York, or to some of his majesty's "servants or agents, for his majesty's use: and "because, they said, it was more than probable, "that great provision of monies, in such an ex-"traordinary way, was to maintain the intended "war against the parliament, and thereby to bring "the whole kingdom into utter ruin, and combus-"tion; it was therefore declared, by the lords and "commons in parliament, that whosoever had been, "or should be, an actor in the selling or pawning "of any jewels of the crown; or had, or should "pay, lend, send, or bring any money in specie "into this kingdom, for or upon any of those "jewels; or whosoever had, or should accept of "any bill from beyond the seas for the payment of "any sum of money, for or upon any of those "jewels, and should pay any sum according to "such bill, after notice of that order, without ac-"quainting that house with the receipt of that bill,

" before he accept the same; or if he had already " accepted any such bill, then with the acceptance " thereof, before the payment of the money, every " such person should be held and accounted a pro- " moter of that intended war, an enemy to the " state, and ought to give satisfaction for the public " damage out of his own estate."

Upon this confident assumption, " that it was " not in the king's power to dispose the jewels of " the crown; that whatsoever jewels were offered " to be pawned or sold, by any of the king's " ministers beyond the seas, were the jewels of " the crown, and no other; and that all money, " returned from thence for his majesty's service, " was money so raised and procured;" they so much terrified men of all conditions, that the queen, having, by the sale of some of her own jewels, and by her other dexterity, procured some money for the king's supply, she could not, in a long time, find any means to transmit it. However, this made no impression upon the king's resolutions; and though it might have some influence upon merchantly men, yet it stirred up most generous minds to an indignation on the king's behalf; and was new evidence, if there had wanted any, what kind of greatness he was to expect from complying with such immodest and extravagant proposers.

The king was once resolved to have returned no answer to them upon those propositions; but to let the people alone to judge of the unreasonableness of them, and of the indignity offered to him in the delivery of them; and that was the reason of the short mention he made of them, in the close of his

declaration to theirs of the twenty-sixth of May: but he was afterwards persuaded to vouchsafe a further notice of them, there being some particulars popular enough, and others, that, at the first view, seemed not altogether so derogatory to him, and so inconvenient to the people, as in truth they were; and that therefore it was necessary to let all the people know, that whatsoever was reasonable, and might be beneficial to the kingdom, had been for the most part before offered by his majesty; and should all be readily granted by him; and so to unfold the rest to them, that they might discern their own welfare, and security, to be as much endangered by those demands, as the king's rights, honour, and dignity: so that, in a short time after he received them, he sent to the two houses, and published to the kingdom, his answer to those nineteen propositions.

"In which he first remembered them of their "method, they had observed in their proceedings "towards him: that they had first totally sup- "pressed the known law of the land, and denied "his power to be necessary to the making new, "reducing the whole to their own declarations, and "single votes: that they had possessed themselves "of his magazines, forts, and militia: that they "had so awed his subjects with pursuivants, long "chargeable attendance; heavy censures; and "illegal imprisonments; that few of them durst "offer to present their tenderness of his majesty's "sufferings, their own just grievances, and their "sense of those violations of the law, (the birth- "right of every subject of the kingdom,) though "in an humble petition to both houses: and if any

" did, it was stifled in the birth; called sedition;
" and burned by the common hangman: that they
" had restrained the attendance of his ordinary
" and necessary household servants; and seized
" upon those small sums of money, which his
" credit had provided to buy him bread; with in-
" junctions, that none should be suffered to be
" conveyed, or returned to his majesty to York, or
" to any of his peers, or servants with him; so
" that, in effect, they had blocked him up in that
" county: that they had filled the ears of his people
" with fears and jealousies, (though taken up upon
" trust,) tales of skippers, salt fleets, and such like;
" by which alarms they might prepare them to re-
" ceive such impressions, as might best advance
" their design, when it should be ripe. And now,
" it seemed, they thought his majesty sufficiently
" prepared for those bitter pills; that he was in
" a handsome posture to receive those humble de-
" sires; which, probably, were intended to make
" way for a superfœtation of a yet higher nature;
" for they did not tell him, this was all. He said,
" he must observe, that those contrivers, (the bet-
" ter to advance their true ends,) in those propo-
" sitions, disguised, as much as they could, their
" intents with a mixture of some things really to be
" approved by every honest man; others, specious
" and popular; and some which were already
" granted by his majesty: all which were cun-
" ningly twisted and mixed with those other things
" of their main design, of ambition and private
" interest, in hope that, at the first view, every
" eye might not so clearly discern them in their
" proper colours.

" His majesty said, if the 1, 2, 3, 4, 5, 9, 10, 15, " 16, 19, demands had been writ, and printed, in a " tongue unknown to his majesty and his people, it " might have been possible, that he and they might " have charitably believed the propositions to be " such, as might have been in order to the ends " pretended in the petition; to wit, the establish- " ment of his honour and safety; the welfare and " security of his subjects and dominions; and the " removing those jealousies and differences, which " were said to have unhappily fallen betwixt his " majesty and his people; and procuring both his " majesty and them a constant course of honour, " peace, and happiness: but being read and under- " stood by all, he could not but assure himself, " that that profession, joined to those propositions, " would rather appear a mockery, and a scorn; the " demands being such, that he were unworthy of " the trust reposed in him by the law, and of his " descent from so many great and famous ances- " tors, if he could be brought to abandon that " power, which only could enable him to perform " what he was sworn to, in protecting his people, " and the laws; and so assume others into it, as " to divest himself of it, although not only his " present condition were more necessitous than it " was, (which it could hardly be,) and he were " both vanquished, and a prisoner, and in a worse " condition than ever the most unfortunate of his " predecessors had been reduced to, by the most " criminal of their subjects; and though the bait " laid to draw him to it, and to keep his subjects " from indignation at the mention of it, the pro- " mises of a plentiful and unparalleled revenue,

" were reduced from generals (which signify no-
" thing) to clear and certain particulars; since
" such a bargain would have but too great a re-
" semblance of that of Esau's, if he would part
" with such flowers of his crown, as were worth
" all the rest of the garland, and had been trans-
" mitted to him from so many ancestors, and had
" been found so useful and necessary for the wel-
" fare and security of his subjects, for any present
" necessity, or for any low and sordid considera-
" tions of wealth and gain. And therefore, all
" men knowing that those accommodations are
" most easily made, and most exactly observed,
" that are grounded upon reasonable and equal
" conditions, his majesty had great cause to be-
" lieve, that the contrivers of those propositions
" had no intention of settling any firm accommo-
" dation; but to increase those jealousies, and widen
" that division, which, not by his majesty's fault,
" was now unhappily fallen between him and both
" houses.

" It was asked, that all lords and others of his
" privy-council, and such great officers and minis-
" ters of state, either at home or beyond the seas,
" (for, he said, care was taken to leave out no per-
" son or place, that his dishonour might be sure
" not to be bounded within this kingdom,) should
" be put from his privy-council, and from those
" offices and employments, unless they should be
" approved by both houses of parliament, how
" faithful soever his majesty had found them to
" him, and the public; and how far soever they
" had been from offending against any law, the
" only rule they had, or any others ought to

" have, to walk by. His majesty therefore to that " part of that demand returned this answer; That " he was willing to grant, that they should take a " larger oath, than they themselves desired in their " eleventh demand, for maintaining not of any " part, but of the whole law. And, he said, he had, " and did assure them, that he would be careful " to make election of such persons in those places of " trust, as had given good testimonies of their abili- " ties and integrities, and against whom there could " be no just cause of exception, whereon reason- " ably to ground a diffidence: that if he had, or " should be mistaken in his election, he had, and " did assure them, that there was no man so near " to him, in place or affection, whom he would not " leave to the justice of the law, if they should " bring a particular charge and sufficient proof " against him: that he had given them a triennial " parliament, (the best pledge of the effects of such " a promise on his part, and the best security for " the performance of their duty on theirs,) the " apprehension of whose justice would, in all pro- " bability, make them wary how they provoked it, " and his majesty wary, how he chose such as, " by the discovery of their faults, might in any " degree seem to discredit his election; but that " without any shadow of a fault objected, only " perhaps because they follow their consciences, " and preserve the established laws, and agree not " in such votes, or assent not to such bills, as some " persons, who had then too great an influence " even upon both houses, judged, or seemed to " judge, to be for the public good, and as were " agreeable to that new Utopia of religion and

" government, into which they endeavoured to " transform this kingdom, (for, he said, he remem- " bered what names, and for what reasons, they " left out in the bill offered him concerning the " militia, which they had themselves recommended " in the ordinance,) he would never consent to the " displacing of any, whom for their former merits " from, and affection to his majesty and the public, " he had intrusted; since, he conceived, that to do " so would take away both from the affection of his " servants, the care of his service, and the honour " of his justice: and, he said, he the more won- " dered that it should be asked by them, since it " appears by the twelfth demand, that themselves " counted it reasonable, after the present turn was " served, that the judges and officers, who were " then placed, might hold their places, *quamdiu se* " *bene gesserint:* and he was resolved to be as care- " ful of those whom he had chosen, as they were " of those they would choose; and to remove none, " till they appeared to him to have otherwise be- " haved themselves, or should be evicted, by legal " proceedings, to have done so.

" But, his majesty said, that demand, as unrea- " sonable as it was, was but one link of a great " chain, and but the first round of that ladder, by " which his majesty's just, ancient, regal power was " endeavoured to be fetched down to the ground; " for it appeared plainly that it was not with the " persons now chosen, but with his majesty's " choosing, that they were displeased: for they " demanded, that the persons put into the places " and employments of those, who should be re- " moved, might be approved by both houses; which

" was so far from being less than the power of " nomination, that of two things, of which he would " never grant either, he would sooner be content, " that they should nominate, and he approve, than " they approve, and his majesty nominate; the " mere nomination being so far from being any " thing, that if he could do no more, he would " never take the pains to do that; when he should " only hazard those whom he esteemed to the " scorn of a refusal, if they happened not to be " agreeable not only to the judgment, but to the " passion, interest, or humour of the present major " part of either house: not to speak of the great " factions, animosities, and divisions, which that " power would introduce in both houses, between " both houses, and in the several counties for the " choice of persons to be sent to that place, where " that power was; and between the persons that " were so chosen. Neither was that strange potion " prescribed to him only for once, for the cure of a " present, pressing, desperate disease; but for a " diet to him, and his posterity. It was demanded, " that his counsellors, all chief officers both of law " and state, commanders of forts and castles, and " all peers hereafter made, be approved of, that is " chosen, by them from time to time: and rather " than it should ever be left to the crown, (to " whom it only did and should belong,) if any place " fall void in the intermission of parliament, the " major part of the approved council was to ap- " prove them. Neither was it only demanded that " his majesty should quit the power and right " his predecessors had had of appointing persons " in those places; but for counsellors, he was to

" be restrained, as well in the number as in the " persons; and a power must be annexed to those " places, which their predecessors had not. And, " indeed, if that power were passed to them, he " said, it would not be fit he should be trusted to " choose those, who were to be trusted as much as " himself.

" He told them, to grant their demands in the " manner they proposed them, that all matters " that concerned the public, &c. should be resolved, " and transacted only in parliament, and such other " matters of state, &c. by the privy-council so " chosen, was in effect at once to depose himself, " and his posterity. He said, many expressions in " their demands had a greater latitude of signifi- " cation, than they seemed to have; and that it " concerned his majesty therefore the more, that " they should speak out; that both he and his " people might either know the bottom of their " demands, or know them to be bottomless. No- " thing more concerned the public, and was indeed " more proper for the high court of parliament, " than the making of laws; which not only ought " there to be transacted, but could be transacted " nowhere else. But then they must admit his " majesty to be a part of the parliament; they " must not (as the sense was of that part of that " demand, if it had any) deny the freedom of his " answer, when he had as much right to reject " what he thought unreasonable, as they had to " propose what they thought convenient, or neces- " sary. Nor was it possible his answers, either to " bills, or any other propositions, should be wholly " free, if he might not use the liberty, that every

" one of them, and every subject took, to receive " advice (without their danger who should give it) " from any person known or unknown, sworn or " unsworn, in those matters in which the manage " of his vote is trusted, by the law, to his own " judgment and conscience; which how best to " inform was, and ever should be, left likewise to " him. He said, he would always, with due con- " sideration, weigh the advices both of his great, " and privy-council: yet he should likewise look " on their advices, as advices, not as commands, or " impositions; upon them, as his counsellors, not " as his tutors, or guardians; and upon himself, as " their king, not as their pupil, or ward: for, he " said, whatsoever of regality was, by the modesty " of interpretation, left in his majesty, in the first " part of the second demand, as to the parlia- " ment, was taken from him in the second part " of the same, and placed in that newfangled " kind of counsellors, whose power was such, and " so expressed by it, that in all public acts con- " cerning the affairs of the kingdom, which are " proper for the privy-council, (for whose advice " all public acts are sometimes proper, though " never necessary,) they were desired to be admitted " joint patentees with his majesty in the regality. " And it was not plainly expressed, whether they " meant his majesty so much as a single vote in " those affairs; but it was plain they meant him " no more, at most, than a single vote in them; " and no more power, than every one of the rest " of his fellow-counsellors."

And so after a sharp discourse, and explanation of the unreasonableness of the several demands, or

the greatest part of them, and the confusion that, by consenting thereunto, would redound to the subject in general, as well as the dishonour to his majesty, (which may be read at large by itself,) he told them, "to all those unreasonable demands, "his answer was, *Nolumus leges Angliæ mutari:* "but renewed his promise to them, for a very "punctual and strict observation of the known laws "established; to which purpose he was willing an "oath should be framed by them, and taken by all "his privy-counsellors. And for any alteration in "the government of the church, that a national "synod should be called, to propose what should "be found necessary or convenient: and that, for "the advancement of the protestant religion against "the papists, they had not proposed so much to "his majesty, as he was willing to grant, or as he "had himself offered before. He concluded with "conjuring them, and all men, to rest satisfied "with the truth of his majesty's professions, and "the reality of his intentions; and not to ask such "things as denied themselves: that they would "declare against tumults, and punish the authors: "that they would allow his majesty his property "in his towns, arms, and goods; and his share in "the legislative power; which would be counted "in him not only breach of privilege, but tyranny, "and subversion of parliaments, to deny to them: "and, when they should have given him satisfac- "tion upon those persons, who had taken away "the one, and recalled those declarations, (parti- "cularly that of the twenty-sixth of May; and "those in the point of the militia, his just rights "wherein he would no more part with, than with

" his crown, lest he enabled others by them to take " that from him,) which would take away the " other; and declined the beginnings of a war " against his majesty, under pretence of his inten- " tion of making one against them; as he had " never opposed the first part of the thirteenth de- " mand, so he would be ready to concur with them " in the latter; and being then confident that the " credit of those men, who desire a general com- " bustion, would be so weakened with them, that " they would not be able to do this kingdom any " more hurt, he would be willing to grant his " general pardon, with such exceptions as should " be thought fit; and should receive much more " joy in the hope of a full and constant happiness of " his people in the true religion, and under the " protection of the law, by a blessed union between " his majesty and his parliament, than in any such " increase of his own revenue, how much soever " beyond former grants, as (when his subjects " were wealthiest) his parliament could have settled " upon his majesty."

Though the king now lived at York in a much more princely condition, than he could have hoped to have done near London; and had so great a train and resort of the nobility and gentry, that there was not left a fifth part of the house of peers at Westminster; and truly I do not believe, that there was near a moiety of the house of commons who continued there; yet he made no other use, for the present, of their presence with him, and of their absence from the two houses, than to have so many the more, and the more credible witnesses of his majesty's counsels and carriage; and to unde-

ceive the people by his clear answers to all the scandals and reproaches which were laid on him, and by his ample professions and protestations of his sincere zeal to religion and justice; and to make it appear to them, how far the quality and the number of those who thought, or seemed to think, otherwise, was, from what they might imagine it to be. And it cannot be denied, but the people were every day visibly reformed in their understandings, from the superstitious reverence they had paid the two houses; and grew sensible of their duty to the king, and of those invasions which were offered to his regal dignity.

On the other side, the two houses slackened not their pace a jot, proceeded with great and unusual sharpness against those members who were gone to the king; proclaiming some of them by name "to be enemies to the kingdom," and, by a formal judgment, sentencing nine peers together, "to be "incapable of sitting again in parliament, whilst "this should continue:" the house of commons having carried up an impeachment of misdemeanours against them, (which was as illegal in point of justice, and as extravagant in point of privilege, as any thing they could do,) "for being "absent, and refusing to attend, upon a summons "from the house of peers:" and upon their own members they imposed a fine of 100*l.* apiece, on every one who was gone to the king, and upon those, who being in other places, they thought were well affected to his service: yet, lest they should upon this proceeding return again, to disturb and cross their counsels, they provided, "that no "man, upon whom that sentence fell, should sit

" again in the house (though he paid his fine) till " he had been examined by a committee, and so " given the house satisfaction in the cause of his " absence." And, by those means, they thought both to remove the scandal, that so many members were absent, and to prevent any inconvenience too, that might befall them by their return. For they well knew, if the members of both houses were obliged to a constant and strict attendance, it would not be possible that they could compass their mischievous designs.

Then they prosecuted their great business of the militia, not only near London, where they were in no danger of opposition, but in those northern counties near his majesty, as Leicestershire, Cheshire, Lincolnshire, where whosoever refused to give obedience to them, or published the king's proclamation against their proceedings, (for the king had yet practised no expedient to prevent the growth of that mischief, but the publishing his proclamation against it,) were sent for as delinquents; and not satisfied herewith, that they might be as well able to pay an army, as they found they should be to raise one, on the tenth of June (for the time will be very necessary to be remembered, that it may be the better stated, who took up the defensive arms) they published propositions, " for the bringing in of money or plate to main- " tain horse, horsemen, and arms, for the preserva- " tion of the public peace, and for the defence of " the king and both houses of parliament; the " reasons and grounds whereof they declared to be " the king's intention to make war against his " parliament; that, under pretence of a guard for

" his person, he had actually begun to levy forces,
" both of horse and foot; and sent out summons
" throughout the county of York, for the calling
" together of greater numbers; and some ill
" affected persons, in other parts, had been em-
" ployed to raise troops, under the colour of his
" majesty's service; making large offers of reward
" and preferment to such as would come in: that
" his majesty did, with a high and forcible hand,
" protect and keep away delinquents, not per-
" mitting them to make their appearance to answer
" such affronts and injuries, as had been by them
" offered to the parliament; and those messengers,
" which had been sent from the houses for them,
" had been abused, beaten, and imprisoned, so as
" the orders of parliament, the highest court of
" justice in the realm, were not obeyed; and the
" authority of it was altogether scorned and vilified;
" and such persons as stood well affected to it, and
" declared themselves sensible of those public ca-
" lamities, and of the violations of the privileges
" of parliament, and common liberty of the subject,
" were baffled, and injured by several sorts of
" malignant men, who were about the king; some
" whereof, under the name of cavaliers, without
" having respect to the laws of the land, or any
" fear either of God or man, were ready to com-
" mit all manner of outrage and violence; which
" must needs tend to the dissolution of the govern-
" ment; the destruction of their religion, laws,
" liberty, and property; all which would be ex-
" posed to the malice and violence of such despe-
" rate persons, as must be employed in so horrid
" and unnatural an act, as the overthrowing a par-

" liament by force; which was the support and " preservation of them. Those particulars, they " said, being duly considered by the lords and " commons, and how great an obligation lay upon " them, in honour, conscience, and duty, according " to the high trust reposed in them to use all pos- " sible means, in such cases, to prevent so great " and irrecoverable evils, they had thought fit to " publish their sense and apprehension of that " imminent danger; thereby to excite all well " affected persons to contribute their best assist- " ance, according to their solemn vow and pro- " testation, to the preparations necessary for the " opposing and suppressing of the traitorous at- " tempts of those wicked and malignant counsel- " lors, who sought to engage the king in so " dangerous and destructive an enterprise, and the " whole kingdom in a civil war; and destroy the " privileges and being of parliaments.

" This recourse to the good affections of those, " that tender their religion and just liberties, and " the enjoyment of the blessed fruits of this pre- " sent parliament, which were almost ready to be " reaped, and were now as ready to be ruined by " those wicked hands, being, they said, the only " remedy left them under God; and without which " they were no longer able to preserve themselves, " or those by whom they were intrusted: there- " fore they declared, that whosoever would bring " in any proportion of ready money or plate, or " would underwrite to furnish and maintain any " number of horse, horsemen, and arms, for the " preservation of the public peace, and for the " defence of the king, and both houses of parlia-

" ment, from force and violence, and to uphold the " power and privileges of parliament, according to " his protestation; it should be held a good and " acceptable service to the commonwealth, and a " testimony of his good affection to the protestant " religion, the laws, liberties, and peace of the " kingdom; and to the parliament, and privileges " thereof. And they further declared, that who- " soever brought in money or plate, or furnished " and maintained horse, horsemen, and arms, upon " these propositions, and to those purposes, should " be repaid their money with interest of eight *per* " *cent;* for which they did engage the public " faith, and they appointed the guildhall in London " for the place whither this money or plate should " be brought; and four aldermen of London to be " their treasurers for the receiving the same; and " likewise other confiding men to receive and " prize such horses and arms, as should be " brought in for their service. And, lastly, for " their better encouragement, the members of " both houses appointed a solemn day to set down " their own subscriptions;" which they performed liberally.

Most of those who abhorred their impious designs, not thinking it lawful for them to be present at such consultations, withdrew before the day came, or absented themselves then. But many had the courage to be present, and stoutly to refuse what they thought they could not honestly consent to. Sir Henry Killigrew, who was notoriously an enemy to all their devices, being called upon, told them, " if there were occasion, he would provide a " good horse, and a good sword; and made no

" question but he should find a good cause." But, within very few days, both he, and all those who were taken notice of for refusing, found it safest for them to leave the town; there being very visibly great animosity against them both within and without the walls. And a gentleman of good quality assured me afterwards, that, within few days after he had refused to subscribe, he was privately advised by one of the other faction, who yet retained some kindness to him, " to leave the town, lest his " brains were beaten out by the boys in the streets." And many of those who too impotently desired not to be looked upon as refractory persons, and had pleased themselves with subscribing more articulately for the defence of the king's person, found it afterwards necessary to supply whatsoever they had subscribed, to be employed that way as was declared to be for the defence of the king's person, whatsoever their intention was at first, or their opinion after. And it is hardly credible, what a vast proportion of plate was brought in to their treasurers within ten days; there being hardly men enough to receive it, or room to lay it in; and the throng being so great of the bringers, that, in two days' attendance, many could not be discharged of their seditious offerings. And, the very next day after these propositions, they further ordered, " that there should be a strict search and examina- " tion made by the justices of peace, mayors, " bailiffs, and constables, near all the northern " roads, for the seizing all horses for service in the " wars, or great saddles, that should be carried " towards the north parts of England, without the " privity or direction of one or both houses of

" parliament;" which was a great improvement of their former order, which extended only to arms and ammunition; though, the truth is, the dexterity and spirit of their ministers, who knew their meaning, made the former almost as inconvenient and dangerous to passengers, as the latter.

It was by many impatiently wondered at then, and, no doubt, will be more censured hereafter, that, notwithstanding all these invasions, and breaches upon the regal power, and all these vast preparations to destroy him, the king, hitherto, put not himself into a posture of safety; or provided for the resistance of that power which threatened him; and which, he could not but know, intended whatsoever it hath since done: and though they had not yet formed an army, and chosen a general, yet, he well knew, they had materials abundantly ready for the first, and particular, digested resolutions in the second; which they could reduce to public acts, whensoever they pleased. It is very true, he did know all this, and the unspeakable hazards he run, in not preparing against it. But the hazards, which presented themselves unto him on the other side, were not less prodigious: he had a very great appearance of the nobility; and not only of those, who had from the beginning walked and governed themselves by the rules the law prescribed, and, in that respect, were unblameable to king and people; but of others, who had passionately and peevishly (to say no worse) concurred in all the most violent votes and actions, which had been done from the beginning: for, besides the lord Spencer, (who had been chosen their lieutenant of Northamptonshire, but was re-

covered to a right understanding, of which he was very capable, by his uncle the earl of Southampton,) the lord Paget likewise, who had contributed all his faculties to their service, and to the prejudice of the king's, from before the beginning of the parliament; [had] been one of their teasers to broach those bold high overtures soberer men were not willing at first to be seen in; and had been, as a man most worthy to be confided in, chosen lord lieutenant of one of the most confiding counties, the county of Buckingham, (where he had, with great solemnity and pomp, executed their ordinance, in defiance of the king's proclamation,) and had subscribed a greater number of horses for their service, upon their propositions, than any other of the same quality; convinced in his conscience, fled from them, and besought the king's pardon: and, for the better manifesting of the tenderness of his compunction, and the horror he had of his former guilt, he lustily discovered whatsoever he had known of their counsels; and aggravated all the ill they had done, with declaring it to be done to worse and more horrid ends, than many good men believed to be possible for them to entertain.

Notwithstanding, this glorious convention was rather an ornament to his court, than any great advantage to his counsels; and the use of them more to discredit the small remainder at Westminster, and that the people might see the number and quality of the dissenters, than that they contributed any thing to the active improvement of his affairs; every man thinking it high merit in him, that he absented himself from the company and place, where all the mischief was done; and

that the keeping himself negatively innocent, was as much as he owed his king and country. I am tender of laying any imputation of want of providence or courage upon that time, and upon so great a body of the nobility, which doubtless was the rise of much reputation and advantage to the king; and am willing to impute it to the drowsy and unactive genius of the kingdom, (contracted by long ease and quiet,) which so much abhorred the thoughts of a civil war, that it thought a lively and vigorous preparation against it, was to invite it. And they all (truly there did not appear four counsellors of another opinion) declared to the king, "that the parliament durst not in truth "(whatever shows they made in hope to shake "his majesty's constancy) make a war; and if they "should attempt it, the people would unanimously "rise for the king, who would be most safe by not "intending his own safety. Whereas, if he raised "forces, the parliament would procure themselves "to be believed, that it was to overthrow religion, "and suppress the laws and liberties of the people." They who were of another opinion, and could have spoken more reason, held it not safe to express themselves but in the king's own ear; there being in the great council of the peers, who, for state, were frequently assembled, and by whom in truth the king then desired to have transacted all things of moment, some who were not good counsel-keepers, and others who were looked upon, and believed to be spies upon the rest. But that which made the thought of raising forces (whatever arguments there were for it) absolutely unreasonable, was, that the king had no possibility to procure either

arms, or munition, but from Holland; from whence he daily expected supply. and till that arrived, let his provocations and sufferings be what they could be, he was to submit, and bear it patiently.

In the mean time, for a ground of further proceeding upon occasion, the king desired the peers in council to set down in writing the affronts and violence, which had been offered to them at London, by which their presence in the great council of the kingdom was rendered both unsafe and dishonourable; the which they the more willingly condescended to, for that the London pamphlets already aspersed them, as deserters of the parliament, and betrayers of the liberty of their country: an instrument being drawn up, and agreed upon between them, in which they set down "the tumults, and "the violence offered to particular persons in those "tumults; the threats and menaces of the rabble "at the doors of the house, when they had a mind "any exorbitant thing should pass; the breach "and violation of the old orders and rules of par-"liament, whilst matters were in debate, and the "resuming matters again in a thin house; and "reversing, waving, or contradicting resolutions "made in a full house: and, lastly, Mr. Hollis's "coming to the bar, and demanding the names of "those lords who refused to consent to the militia, "when the multitude without menaced and threat-"ened all those dissenters:" after which, they said, "they conceived they could not be present "there with honour, freedom, or safety; and "therefore forbore to be any more present; and "so all those votes, conclusions, and declarations

" had passed, which had begot those distractions " throughout the kingdom." And this they delivered to the king, signed under their hands. And yet, (which is a sufficient instance how unendued men were with that spirit and courage which was requisite,) the next day after the delivery, many lords came to his majesty, and besought him, " that he would by no means publish that paper, " but keep it in his own hands;" some of them saying, " that, if it were published, they would " disavow it:" so that material and weighty evidence, which then might have been of sovereign use to the king, was rendered utterly ineffectual to his service; his majesty finding it necessary to engage his princely word to them, " never to make " it public without their consent;" which he performed most punctually; and so, to this day, it was never divulged.

To make some little amends for this want of mettle, (for it proceeded from nothing else, they being most shy in subscribing, and most passionate against publishing, who were of unquestionable affection to his majesty, and integrity to his cause,) and that the world might see there was a combination among good men, to assist his majesty in the defence of the law, as well as there was against both by others; upon the king's declaring himself fully in council, where all the peers were present, " that he would not require or exact any obedience " from them, but what should be warranted by the " known law of the land; so he did expect that " they would not yield to any commands not legally " grounded, or imposed by any other: that he " would defend every one of them, and all such as

" should refuse any such commands, whether they " proceeded from votes and orders of both houses, " or any other way, from all dangers and hazards " whatsoever. That his majesty would defend the " true protestant religion, established by the law " of the land; the lawful liberties of the subjects " of England; and just privileges of all the three " estates of parliament; and would require no " further obedience from them, than as accordingly " he should perform the same: and his majesty " did further declare, that he would not, as was " falsely pretended, engage them, or any of them, " in any war against the parliament; except it " were for his necessary defence and safety, against " such as did insolently invade or attempt against " his majesty, or such as should adhere to his " majesty:" all the peers engaged themselves, " not to obey any orders or commands whatsoever, " not warranted by the known laws of the land; " and to defend his majesty's person, crown, and " dignity, together with his just and legal preroga- " tive, against all persons and power whatsoever: " that they would defend the true protestant reli- " gion, established by the law of the land; the " lawful liberties of the subject of England; and " just privileges of his majesty, and both his houses " of parliament: and, lastly, they engaged them- " selves not to obey any rule, order, or ordinance " whatsoever, concerning any militia, that had not " the royal assent."

This being subscribed by their lordships was, with their consent, immediately printed, and carefully divulged over the kingdom, bearing date at York the thirteenth of June, 1642, with the names

of the subscribers. Two days after, his majesty in council taking notice of the rumours spread, and informations given, which might induce many to believe, that his majesty intended to make war against his parliament, "professed before God, "and said, he declared to all the world, that he "always had, and did abhor all such designs, and "desired all his nobility and council, who were "there upon the place, to declare, whether they "had not been witnesses of his frequent and ear-"nest declarations and professions to that purpose: "whether they saw any colour of preparations or "counsels, that might reasonably beget a belief of "any such design; and whether they were not "fully persuaded, that his majesty had no such "intention: but that all his endeavours, according "to his many professions, tended to the firm and "constant settlement of the true protestant religion; "the just privileges of parliament; the liberty of "the subject; the law, peace, and prosperity of "this kingdom."

Whereupon all the lords and counsellors present unanimously agreed, and did sign a paper in these words:

"We, whose names are underwritten, in obe-"dience to his majesty's desire, and out of the "duty which we owe to his majesty's honour, and "to truth, being here upon the place, and witnesses "of his majesty's frequent and earnest declarations "and professions of his abhorring all designs of "making war upon his parliament; and not seeing "any colour of preparations or counsels, that "might reasonably beget the belief of any such "designs, do profess before God, and testify to all

" the world, that we are fully persuaded that his " majesty hath no such intention: but that all his " endeavours tend to the firm and constant settle- " ment of the true protestant religion; the just " privileges of parliament; the liberty of the sub- " ject; the law, peace, and prosperity of this " kingdom." Which testimony and declaration was subscribed by

Ld. Littleton, ld. keeper.	Duke of Richmond.
Marquis of Hertford.	E. of Lindsey, ld. gr. chamberl.
Earl of Cumberland.	Earl of Bath.
Earl of Southampton.	Earl of Dorset.
Earl of Salisbury.	Earl of Northampton.
Earl of Devonshire.	Earl of Cambridge.
Earl of Bristol.	Earl of Clare.
Earl of Westmoreland.	Earl of Berkshire.
Earl of Monmouth.	Earl Rivers.
Earl of Dover.	Earl of Carnarvon.
Earl of Newport.	Ld. Mowbray & Martravers.
Ld. Willoughby of Eresby.	Ld. Grey of Ruthin.
Ld. Howard of Charleton.	Lord Newark.
Lord Pawlett.	Lord Lovelace.
Lord Rich.	Lord Savile.
Lord Mohun.	Lord Coventry.
Lord Dunsmore.	Lord Seymour.
Lord Capel.	Lord Falkland.
Sir P. Wich, controller.	Secretary Nicholas.
Sir J. Colepepper, chan. exch.	Ld. Chief Justice Banks.

This testimony of the lords and counsellors was immediately printed, and published, together with a declaration of his majesty's; in which he said,

" That though he had, in the last seven months, " met with so many several encounters of strange " and unusual declarations, under the name of both " his houses of parliament, that he should not be " amazed at any new prodigy of that kind; and

" though their last of the twenty-sixth of May
" gave him a fair warning that, the contrivers of
" it having spent all their stock of bitter and
" reproachful language upon him, he was now to
" expect they should break out into some bold and
" disloyal actions against him: and, having by that
" declaration, as far as in them lay, divested his
" majesty of that preeminence and authority, which
" God, the law, the custom and consent of this
" nation had placed in him, and assumed it to
" themselves, that they should likewise, with expe-
" dition, put forth the fruits of that supreme power,
" for the violating and suppressing the other which
" they despised, (an effect of which resolution, he
" said, their wild declaration against his proclama-
" tion concerning the pretended ordinance for the
" militia, and the punishing of the proclaimers
" appeared to be,) yet, he must confess, in their
" last attempt (he said, he spake of the last he
" knew; they might probably since, or at that
" present, have outdone that too) they had outdone
" what his majesty had conceived was their present
" intention. And whosoever heard of propositions,
" and orders, for bringing in of money or plate to
" maintain horse, horsemen, and arms, for the
" preservation of the public peace, or for the de-
" fence of the king and both houses of parliament,
" (such was their declaration, or what they please
" to call it, of the tenth of June,) would surely
" believe the peace of the kingdom to be extremely
" shaken; and, at least, the king himself to be
" consulted with, and privy to those propositions.
" But, he said, he hoped, that when his good sub-
" jects should find, that that goodly pretence of

" defending the king, was but a specious bait to " seduce weak and inconsiderate men into the " highest acts of disobedience and disloyalty against " his majesty, and of violence and destruction upon " the laws and constitutions of the kingdom, they " would no longer be captivated by an implicit " reverence to the name of both houses of parlia- " ment; but would carefully examine and consider " what number of persons were present; and what " persons were prevalent in those consultations; " and how the debates were probably managed, " from whence such horrid and monstrous con- " clusions did result; and would at least weigh the " reputation, wisdom, and affection of those, who " were notoriously known, out of the very horror " of their proceedings, to have withdrawn them- " selves; or, by their skill and violence to be driven " from them, and their councils.

" His majesty [said], whilst their fears and jea- " lousies did arise, or were infused into the people, " from discourses of the rebels in Ireland, of skip- " pers at Rotterdam, of forces from Denmark, " France, or Spain, (how improbable and ridiculous " soever that bundle of information appeared to all " wise and knowing men,) it was no wonder if the " easiness to deceive, and the willingness to be " deceived, did prevail over many of his weak sub- " jects to believe, that the dangers, which they did " not see, might proceed from causes which they " did not understand: but for them to declare to " all the world, that his majesty intended to make " war against his parliament, (whilst he sat still " complaining to God Almighty of the injury " offered to him, and to the very being of parlia-

" ments,) and that he had already began actually " to levy forces both of horse and foot, (whilst he " had only, in a legal way, provided a smaller " guard for the security of his own person so near " a rebellion at Hull, than they had, without law- " ful authority, above these eight months, upon " imaginary and impossible dangers,) to impose " upon his people's sense, as well as their under- " standing, by telling them his majesty was doing " that which they saw he was not doing, and in- " tending that, they all knew, as much as intentions " could be known, he was not intending, was a " boldness agreeable to no power but the omni- " potency of those votes, whose absolute supremacy " had almost brought confusion upon king and " people; and against which no knowledge in " matter of fact, or consent and authority in " matter of law, they would endure should be " opposed.

" His majesty said, he had, upon all occasions, " with all possible expressions, professed his fast " and unshaken resolutions for peace. And, he " said, he did again, in the presence of Almighty " God, his maker and redeemer, assure the world, " that he had no more thought of making a war " against his parliament, than against his own " children: that he would observe and maintain " the acts assented to by him this parliament with- " out violation; of which, that for the frequent " assembling of parliaments was one: and that he " had not, nor would have, any thought of using " any force; unless he should be driven to it, for " the security of his person, and for the defence of " the religion, laws, and liberty of the kingdom,

" and the just rights and privileges of parliament:
" and therefore he hoped the malignant party,
" who had so much despised his person, and
" usurped his office, should not, by their specious
" fraudulent insinuations, prevail with his good
" subjects to give credit to their wicked assertions;
" and so to contribute their power and assistance
" for the ruin and destruction of themselves, and
" his majesty.

" For the guard about his person, (which, he
" said, not so much their example, as their provo-
" cation, had enforced him to take,) it was known
" it consisted of the prime gentry, in fortune and
" reputation, of that country; and of one regi-
" ment of trained bands; who had been so far
" from offering any affronts, injuries, or disturb-
" ance to any of his good subjects, that their
" principal end was to prevent such; and so, might
" be security, could be no grievance to his people.
" That some ill affected persons, or any persons,
" had been employed in other parts to raise troops,
" under colour of his majesty's service; or that
" such had made large, or any, offers of reward
" and preferment to such as would come in, which
" had been alleged by them; was, he said, for
" aught he knew, or believed, an untruth, devised
" by the contrivers of that false rumour. His ma-
" jesty disavowed it, and said, he was confident
" there would be no need of such art, or industry,
" to induce his loving subjects, when they should
" see his majesty oppressed, and their liberties and
" laws confounded, (and till then he would not call
" on them,) to come in to him, and to assist him.

" For the delinquents, whom his majesty was

" said with a high and forcible hand to protect, he " wished they might be named, and their delin- " quency: and if his majesty gave not satisfaction " to justice, when he should have received satisfac- " tion concerning sir John Hotham by his legal " trial, then let him be blamed. But if the design " were, as it was well known to be, after his ma- " jesty had been driven by force from his city of " London, and kept by force from his town of Hull, " to protect all those who were delinquents against " him, and to make all those delinquents who at- " tended on him, or executed his lawful commands, " he said, he had great reason to be satisfied in the " truth and justice of such accusation, lest to be " his majesty's servant, and to be a delinquent, " grew to be terms so convertible, that, in a short " time, he were left as naked in attendance, as they " would have him in power; and so compel him to " be waited upon only by such whom they should " appoint and allow; and in whose presence he " should be more miserably alone, than in desola- " tion itself. And if the seditious contrivers and " fomenters of that scandal upon his majesty should " have, as they had had, the power to mislead the " major part present of either or both houses, to " make such orders, and send such messages and " messengers, as they had lately done, for the ap- " prehension of the great earls and barons of " England, as if they were rogues or felons; and " whereby persons of honour and quality were " made delinquents, merely for attending upon his " majesty, and upon his summons; whilst other " men were forbid to come near him, though " obliged by the duty of their place and oaths,

" upon his lawful commands: it was no wonder if " such messengers were not very well intreated; " and such orders not well obeyed; neither could " there be a surer or a cunninger way found out to " render the authority of both houses scorned and " vilified, than to assume to themselves (merely " upon the authority of the name of parliament) " a power monstrous to all understandings; and to " do actions, and to make orders, evidently and " demonstrably contrary to all known law and " reason, (as to take up arms against his majesty, " under colour of defending him; to cause money " to be brought in to them, and to forbid his own " money to be paid to his majesty, or to his use, " under colour that he would employ it ill; to beat " him, and starve him for his own good, and by " his power and authority,) which would in short " time make the greatest court, and greatest per- " son, cheap and of no estimation.

" Who those sensible men were of the public " calamities, of the violations of the privileges of " parliament, and the common liberty of the sub- " ject, who had been baffled, and injured by ma- " lignant men, and cavaliers about his majesty, his " majesty said, he could not imagine. And if " those cavaliers were so much without the fear of " God and man, and so ready to commit all manner " of outrage and violence, as was pretended, his " majesty's government ought to be the more " esteemed, which had kept them from doing so; " insomuch as he believed, no person had cause to " complain of any injury, or of any damage, in the " least degree, by any man about his majesty, or " who had offered his service to him. All which

" being, he said, duly considered, if the contrivers " of those propositions and orders had been truly " sensible of the obligations, which lay upon them " in honour, conscience, and duty, according to " the high trust reposed in them by his majesty, " and his people, they would not have published " such a sense and apprehension of imminent dan- " ger, when themselves, in their consciences, knew " that the greatest, and indeed only danger, which " threatened the church and state, the blessed " religion and liberty of his people, was in their " own desperate and seditious designs; and would " not have endeavoured, upon such weak and " groundless reasons, to seduce his good subjects " from their affection and loyalty to him, to run " themselves into actions unwarrantable, and de- " structive to the peace and foundation of the com- " monwealth.

" And that all his loving subjects might see, how " causeless and groundless that scandalous rumour, " and imputation of his majesty's raising war upon " his parliament, was, he had, with that his de- " claration, caused to be printed the testimony of " those lords, and other persons of his council, who " were there with him; who, being upon the place, " could not but discover such his intentions and " preparations; and could not be suspected for " their honours and interests to combine in such " mischievous and horrid resolutions.

" And therefore, his majesty said, he straitly " charged and commanded all his loving subjects, " upon their allegiance, and as they would answer " the contrary at their perils, that they should yield " no obedience or consent to the said propositions

" and orders; and that they presume not under any
" such pretences, or by colour of any such orders,
" to raise or levy any horse or men, or to bring in
" any money, or plate, to such purpose. But, he
" said, if, notwithstanding that clear declaration,
" and evidence of his intentions, those men (whose
" design it was to compel his majesty to raise war
" upon his parliament; which all their skill and
" malice should never be able to effect) should think
" fit, by those alarms, to awaken him to a more
" necessary care of the defence of himself, and his
" people; and should themselves, under colour of
" defence, in so unheard of a manner provide (and
" seduce others to do so too) to offend his majesty,
" having given him so lively a testimony of their
" affections, what they were willing to do, when
" they should once have made themselves able; all
" his good subjects would think it necessary for his
" majesty to look to himself. And he did there-
" fore excite all his well affected people, according
" to their oaths of allegiance and supremacy, and
" according to their solemn vow and protestation,
" (whereby they were obliged to defend his person,
" honour, and estate,) to contribute their best
" assistance to the preparations necessary for the
" opposing and suppressing of the traitorous at-
" tempts of such wicked and malignant persons;
" who would destroy his person, honour, and es-
" tate, and engage the whole kingdom in a civil
" war, to satisfy their own lawless fury and ambi-
" tion; and so rob his good subjects of the blessed
" fruit of this present parliament; which they
" already in some degree had, and might still
" reap, to the abundant satisfaction and joy of the

" whole kingdom, if such wicked hands were not " ready to ruin all their possessions, and frustrate " all their hopes. And, in that case, his majesty " declared, that whosoever, of what degree or " quality soever, should then, upon so urgent and " visible necessity of his, and such apparent dis- " traction of the kingdom, caused and begotten by " the malice and contrivance of that malignant " party, bring in to his majesty, and to his use, " ready money, or plate; or should underwrite " to furnish any number of horse, horsemen, and " arms, for the preservation of the public peace, " and defence of his person, and the vindication " of the privilege and freedom of parliament, he " would receive it as a most acceptable service, and " as a testimony of his singular affection to the " protestant religion, the laws, liberties, and peace " of the kingdom; and would no longer desire the " continuance of that affection, than he would be " ready to justify and maintain the other with the " hazard of his life."

And so concluded with the same overtures they had done, in their propositions for the loan of money at interest; "offering, for security thereof, an " assurance of such his lands, forests, parks, and " houses, as should be sufficient for the same; a " more real security, he said, than the name of " public faith, given without him, and against him; " as if his majesty were no part of the public: and " besides, he would always look upon it as a service " most affectionately and seasonably performed for " the preservation of his majesty, and the kingdom. " But, he said, he should be much gladder that " their submission to those his commands, and

" their desisting from any such attempt of raising " horse or men, might ease all his good subjects of " that charge, trouble, and vexation."

It will be wondered at hereafter, when, by what hath been said, the number and quality of the peers is considered, who, by absenting themselves from the house, and their resort to his majesty, sufficiently declared, that they liked not those conclusions which begat those distractions; why both those peers, and likewise such members of the commons, who then, and afterwards, appeared in the king's service, and were indeed full, or very near one moiety of that house, did not rather, by their diligent and faithful attendance in the houses, according to their several trusts reposed in them, discountenance and resist those pernicious and fatal transactions, than, by withdrawing themselves from their proper stations, leave the other (whose ruinous intentions were sufficiently discovered) possessed of the reputation, authority, and power of a parliament; by which, it was evident, the people would be easily, to a great degree, seduced. And though the observing reader may, upon the collection of the several passages here set down, be able to answer those objections to himself; I am the rather induced, in this place, to apply myself to the clearing that point, because not only many honest men, who, at a distance, have considered it, without being privy to the passages within the walls, and those breaches which totally destroyed and took away the liberty and freedom of those councils, have been really troubled or unsatisfied with that desertion, as they call it, of the service to which they were incumbent, and chosen; but that

I have heard some, who were the chief, if not the sole promoters of those violations, and the most violent pursuers of the most violent designs, and have since (out of the ruptures which have proceeded from their own animosities) either been, or been thought to be, more moderately inclined, complain, "that the withdrawing of so many mem-" bers from the two houses was the principal cause " of all our calamities." And they who have been the true authors of them, and still continue the same, have taken pains to make and declare the others, " deserters of their country, and betrayers " of their trusts, by their voluntary withdrawing " themselves from that council."

In the doing whereof, I shall not, I cannot, make any excuse for those, (of whom somewhat is before spoken,) who, from the beginning of this parliament, and in the whole progress of it, either out of laziness, or negligence, or incogitancy, or weariness, forbore to give their attendance there, when the number of those who really intended these prodigious alterations was very inconsiderable; and daily drew many to their opinions, upon no other ground than that the number of the dissenters appeared not equally diligent, and intent upon their assertions: neither can I excuse the peers, the moderate part whereof being four for one, suffered themselves to be cozened, and persuaded, and threatened out of their rights by a handful of men, whom they might, in the beginning, easily have crushed; whereas in the house of commons the great managers were men of notable parts, much reputation, admirable dexterity; pretenders to severe justice and regularity; and then

the number of the weak, and the wilful, who naturally were to be guided by them, always made up a major part; so that, from the beginning, they were always able to carry whatsoever they set their hearts visibly upon; at least, to discredit or disgrace any particular man, against whom they thought necessary to proceed, albeit of the most unblemished reputation, and upon the most frivolous suggestions; so that they could not [but] be very formidable, in that house, to all but the most abstracted men from all vulgar considerations.

But, I am confident, whosoever diligently revolves the several passages in both houses, from the time of the publishing the first remonstrance, upon his majesty's return from Scotland, to the time of which we last spake, must be of opinion, that the resorting of so many members then to his majesty, (from whom all the lords, and some of the commons, received commands to that purpose,) or to such places, where they thought they might be of greatest use to his majesty, in preservation of the peace of the kingdom, was not only an act of duty, but of such prudence and discretion, as sober and honest men were to be guided by. In the house of peers, the bishops, twenty-four in number, who had as much right to sit there, and were as much members of parliament, as any lord there, were first, by direct violence and force, driven and kept from thence, till the bill, for the total expulsion of them and their function from those seats, was passed; such of the peers, who were most notorious for adhering to the government of the church, being, in the mean time, threatened pub-

licly by the rabble; and some of their persons assaulted. The business of the militia had been twice, upon solemn debate in a full house, rejected there; till such force and violence was brought to the very doors, such expostulations and threats delivered within the doors against those who refused to concur with them in that business, that no man had reason to believe his life out of danger from those rude hands, who was taken notice of for an opposer of their unreasonable desires; some of them having been declared enemies to their country, for having refused what was in their power lawfully to refuse; and others having been criminally accused by the commons, for words spoken by them in debate in the house of peers; after which many of them were sent for, by special letters, to attend his majesty, (which letters were always thought to be so good, and warrantable a ground to be absent, that no other was sufficient; nor had such summons, from the beginning of parliaments to this present, ever been neglected,) with whom they had not been many weeks, but two of them, as hath been mentioned before, upon an untrue and extravagant information, without further examination, were declared enemies to the kingdom: and nine others by solemn judgment, upon an impeachment brought up by the commons against them, only for being absent, and for what only concerned the privilege and jurisdiction of the peers, were disabled to sit in the house again during this session; so that, if they would have returned, they were actually excluded that council.

In the house of commons, the case was worse: first, they who had, with that liberty which is es-

sential to parliaments, and according to their understandings, dissented, or declared a dislike of what the violent party so vehemently pursued, were, as hath been said before, declared enemies to their country; and their names posted up in paper, or parchment, at most eminent places, under some opprobrious character; which, though it was not avowed, and had no authority from the house by any public act, yet, being complained of, found neither redress, or such countenance, that it could be concluded the violation was unacceptable: so, though the tumults were not directly summoned or assembled, it is evident, by what hath been before set forth truly and at large, that they found there visible countenance and encouragement.

Then, what had been, upon full and solemn debates in a full house, rejected, was many times, in a thin house, and at unusual and unparliamentary hours, resumed, and determined contrary to the former conclusions: yet men satisfied themselves with doing what they thought their duty, and reasonably opposing what the major part ordered to be done; hoping that men's understandings would be shortly better informed; and that, though high and irreverent expressions and words were sometimes used against the king, there would be abstaining from unlawful and dangerous actions; and that the house of peers, at least, would never be brought to join or concur in any act prejudicial to the sovereign power. But when they saw a new way found out by the dexterity of the major part in the house of commons, to make the minor part of the lords too hard for the major; and so,

whilst all men were transported with jealousy of the breach of privilege of parliament by the king, that there was, by the houses themselves, an absolute rooting up of all privileges: that from metaphysical considerations, what *might* be done in case of necessity, the militia of the kingdom was actually seized on; and put under a command contrary to, and against, the king's command: that there was then a resolution taken, by those who could act their resolutions when they pleased, to make a general, and to oblige all the members to live and die with that general; which will be anon more particularly mentioned; (for that resolution was well known before the time, that those many members removed to York, and withdrew to other places; and was executed within three or four days after;) men thought it high time to look to their innocence, and (since, by the course and order of that house, they could leave no monument or evidence of their dissenting, as the lords might have, by their protestations upon any unlawful act, or resolution) to declare their dislike of what was done, by not being present at the doing: and it was reasonably thought, there being no other way peaceably and securely to do it, that the kingdom, understanding the number of those that were present at such new transactions, and weighing the quality, number, and reputation of those who were absent, would be best induced to prefer the old laws of the kingdom, before the new votes (destructive to those laws) of those few men, who called themselves the two houses of parliament; and that it would prove a good expedient to work upon the consciences and modesty of those who staid be-

hind, to conclude it necessary, by some fair address to his majesty, to endeavour such a general good understanding, that a perfect union might be made; and the privilege, dignity, and security of parliament be established according to the true and just constitution of it.

It is true, how reasonably soever it might be expected, it produced not that ingenuity: but they who had been troubled with their company, and, by the opposition they made, could not make that expedition in the mischief they intended, were glad they were rid of them; yet, shortly, considering what influence indeed it might have upon understanding men, they found a way to cast a reproach upon those who were absent, and yet to prevent any inconvenience to themselves by their return; publishing an order, "that all the members absent "should appear at such a day, under the penalty "of paying 100*l.* fine for his absence; and whoso- "ever did not appear at that day" (which gave not time enough to any who were at a distance) "should not presume to sit in the house, before "he had paid his fine, or satisfied the house with "the cause of his absence;" so that all those who were with the king, and very many more, who had really withdrawn themselves to refresh their minds, or upon necessary affairs of their own, with a purpose to return, clearly discerned themselves excluded from sitting any more there; it being sufficiently manifest, that the cause of their absence would never be approved, if their persons were disliked, and their opinions disapproved: which appeared quickly; for the day was no sooner past, but they, without the least warrant of precedent,

or colour of right, expelled very many, sometimes twenty in a day, not only of those who were with the king, but of others who had given them equal distaste; and ordered new writs to issue out to choose other members in their rooms.

It cannot be denied but some very honest and entire men staid still there, and opposed all their unjustifiable proceedings with great courage, and much liberty of speech; which was more frankly permitted to them than had been before, when the number of the dissenters was greater; and it may be there are still some who satisfy themselves that they have performed their duty, by always having denied to give their consent to whatsoever hath been seditiously or illegally concluded. But I must appeal to the consciences of those very men, whether they have not been many times, by staying there, compelled or terrified to do, and submit to, many acts contrary to their conscience, in cases of conscience; and contrary to their judgment and knowledge, in matters of law and right; and contrary to their oaths and duties, in matters of allegiance; and whether, if they had refused so to do, they should not have been plundered, expelled, and committed to prison? And then they cannot be thought to have proceeded unreasonably, who, to preserve their innocence, and their liberty, chose to undergo all the other censures and difficulties which could befall them, and which have been since plentifully poured upon them. But to return.

The king had, at this time, called to him some judges, and lawyers of eminency; by whose advice he published a declaration concerning the militia, and asserted "the right of the crown in granting

" commissions of array, for the better ordering and " governing thereof;" and, at the same time, issued out those commissions to all counties, " expressly " forbidding any obedience to be given to the ordi- " nance for the militia by both houses, under the " penalty of high treason." This only improved the paper combat in declarations; either party insisting, " that the law was on their side;" and the people giving obedience to either, according to their conveniences: and many did believe, that if the king had resorted to the old known way of lord lieutenants, and deputy lieutenants, his service would have been better carried on; the commission of array being a thing they had not before heard of, though founded upon an ancient act of parliament in the reign of Hen. IV. and so was received with jealousy, and easily discredited by the glosses and suggestions of the houses.

Besides that some men of very good affections to the crown, and averse enough to the extravagant pretences and proceedings of the parliament, did not conceal their prejudice to the commission of array, as not warranted by law; which did very much work upon other men, and made the obedience less cheerful that was given to that service. Mr. Selden had, in the debate upon that subject in the house of commons, declared himself very positively, and with much sharpness, against the commission of array, as a thing expressly without any authority of law; the statute upon which it was grounded being, as he said, repealed; and discoursed very much of the ill consequences which might result from submitting to it: he answered the arguments which had been used to support it;

and easily prevailed with the house not to like a proceeding, which they knew was intended to do them hurt, and to lessen their authority. But his authority and reputation prevailed much further than the house, and begot a prejudice against it in many well affected men. When the king was informed of it, he was much troubled, having looked upon Mr. Selden as well disposed to his service. And the lord Falkland, with his majesty's leave, writ a friendly letter to Mr. Selden, "to know his "reason, why, in such a conjuncture, whatever his "opinion [were], he would oppose the submission "to the commission of array, which nobody could "deny to have had its original from law, and "that many learned men still believed to be very "legal, that the ordinance which had no manner "of pretence to right might be the better estab-"lished." He answered this letter very frankly; as a man who believed himself in the right upon the commission of array, and that the arguments he had used against it could not be answered; summing up some of those arguments in as few words as they could be comprehended [in]: but then he did as frankly inveigh against the ordinance for the militia, "which, he said, was without any shadow of law, or "pretence of precedent, and most destructive to "the government of the kingdom: and he did "acknowledge, that he had been the more inclined "to make that discourse in the house against the "commission, that he might with the more free-"dom argue against the ordinance; which was to "be considered upon a day then appointed: and "he was most confident, that he should like-"wise overthrow the ordinance: which, he con-

"fessed, could be less supported; and he did be-
"lieve, that it would be much better, if both were
"rejected, than if either of them should stand, and
"remain uncontrolled." But his confidence deceived him; and he quickly found, that they who suffered themselves to be entirely governed by his reason, when those conclusions resulted from it, which contributed to their own designs, would not be at all guided by it, or submit to it, when it persuaded that which contradicted and would disappoint those designs: and so, upon the day appointed for the debate of their ordinance, when he applied all his faculties to the convincing them of the illegality and monstrousness of it, by arguments at least as clear and demonstrable as his former had been, they made no impression upon them; but were easily answered by those who with most passion insisted upon their own sense. He had satisfied them very well, when he concurred with them in judgment; but his reasons were weak, when they crossed their resolutions. So most men are deceived in being too reasonable; and when they conclude that men will submit to what is right, who have no other consideration of right or justice, but as it advances their interest, or complies with their humour and passion. And so easy it hath always been to do harm, and to mislead men, and so hard to do good, and reduce them to reason.

These paper-skirmishes left neither side better inclined to the other; but, by sharpening each other, drew the matter nearer to an issue. The king had written a letter to the mayor and aldermen of London, and to the masters and wardens of

each several company; by which, "he assured "them of his desire of the peace of the kingdom; "and therefore required them, as they tendered "their charter of the city, and their own particular "welfares, not to bring in horses, money, or plate, "upon the propositions of the houses; whereby, "under pretence of raising a guard for the parlia- "ment, forces would be levied, and, in truth, em- "ployed against his majesty:" of which the houses taking notice, published a declaration to the city, "That they could not be secured by his majesty's "protestations, that his desires and purposes were "for the public peace; since it appeared, by divers "expressions and proceedings of his majesty, that "he intended to use force against those who sub- "mitted to the ordinance of the militia; and that "he had likewise some intention of making an "attempt upon Hull. In both which cases they "did declare, that whatsoever violence should be "used, either against those who exercise the "militia, or against Hull, they could not but be- "lieve it as done against the parliament. They "told them, that the dangerous and mischievous "intentions of some about his majesty were such, "that whatsoever was most precious to men of "conscience and honour, as religion, liberty, and "public safety, were like to be overwhelmed and "lost in the general confusion and calamity of the "kingdom; which would not only question, but "overthrow the charter of the city of London; ex- "pose the citizens, their wives and children, to "violence and villainy; and leave the wealth of "that famous city as a prey to those desperate "and necessitous persons: and therefore they for-

" bade all the officers to publish that paper, as they " would answer their contempt to the parliament; " by the power and authority of which, they as- " sured them, they should be protected, and se- " cured in their persons, liberties, and estates, for " whatsoever they should do by their advice or " persuasion."

To this the king replied, " That he wondered, " since they had usurped the supreme power to " themselves, that they had not taken upon them " the supreme style too; and directed their very " new declaration to their trusty and well-beloved, " their subjects of the city of London: for it was " too great and palpable a scorn, to persuade them " to take up arms against his person, under colour " of being loving subjects to his office; and to " destroy his person, that they might preserve the " king: that he was beholding to them, that they " had explained to all his good subjects the mean- " ing of their charge against his majesty, that by his " intention of making war against his parliament, " no more was pretended to be meant, but his re- " solution not to submit to the high injustice and " indignity of the ordinance for the militia, and the " business of Hull. He said, he had never con- " cealed his intentions in either of those particulars, " (he wished they would deal as clearly with him,) " but had always, and did now declare, that that " pretended ordinance was against the law of the " land; against the liberty and property of the " subject; destructive to sovereignty; and there- " fore not consistent with the very constitution and " essence of the kingdom, and to the right and " privilege of parliament: that he was bound by

" his oath (and all his subjects were bound by
" theirs of allegiance and supremacy, and their own
" protestation lately taken, to assist his majesty)
" to oppose that ordinance, which was put already
" in execution against him, not only by training
" and arming his subjects, but by forcibly remov-
" ing the magazine, from the places trusted by the
" counties, to their own houses, and guarding it
" there with armed men. Whither it would be
" next removed, and how used by such persons, he
" knew not.

" That the keeping his majesty out of Hull by
" sir John Hotham, was an act of high treason
" against his majesty; and the taking away his
" magazine and munition from him, was an act of
" violence upon his majesty, by what hands or by
" whose direction soever it was done: and, in both
" cases, by the help of God, and the law, his ma-
" jesty said, he would have justice, or lose his life
" in the requiring it; the which he did not value
" at that rate, as to preserve it with the infamy of
" suffering himself to be robbed, and spoiled of
" that dignity he was born to. And if it were
" possible for his good subjects to believe, that
" such a defence of himself, with the utmost power
" and strength he could raise, was making a war
" against his parliament, he did not doubt, how-
" ever it should please God to dispose of him in
" that contention, but the justice of his cause would,
" at the last, prevail against those few malignant
" spirits, who, for their own ends, and ambitious
" designs, had so misled and corrupted the under-
" standings of his people. And since neither his
" own declaration, nor the testimony of so many of

" his lords, then with his majesty, could procure
" credit with those men, but that they proceeded
" to levy horse, and to raise money and arms
" against his majesty, he said, he was not to be
" blamed, if after so many gracious expostulations
" with them, upon undeniable principles of law and
" reason, (which they answered only by voting that
" which his majesty said, to be neither law, nor
" reason; and so proceeded actually to levy war
" upon his majesty, to justify that which could not
" be otherwise defended,) at last he made such
" provision, that as he had been driven from Lon-
" don, and kept from Hull, he might not be sur-
" prised at York; but in a condition to resist, and
" bring to justice those men, who would persuade
" his people that their religion was in danger,
" because his majesty would not consent it should
" be in their power to alter it by their votes; or
" their liberty in danger, because he would allow
" no judge of that liberty, but the known law of
" the land: yet, he said, whatever provision he
" should be compelled to make for his security, he
" would be ready to lay down, as soon as they
" should revoke the orders by which they had made
" levies, and submitted those persons, who had de-
" tained his towns, carried away his arms, and put
" the militia in execution, contrary to his procla-
" mation, to that trial of their innocence, which
" the law had directed, and to which they were
" born: if that were not submitted to, he should,
" with a good conscience, proceed against those
" who should presume to exercise that pretended
" ordinance for the militia, and the other who should
" keep his town of Hull from him, as he would

" resist persons who came to take away his life or " his crown from him.

" And therefore his majesty again remembered, " and required his city of London to obey his for- " mer commands, and not to be misled by the ora- " tions of those men, who were made desperate by " their fortunes, or their fortunes by them; who told " them their religion, liberty, and property, was to " be preserved no other way, but by their disloyalty " to his majesty: that they were now at the brink " of the river, and might draw their swords, (which " was an expression used at a great convention of " the city,) when nothing pursued them but their " own evil consciences. He wished them to con- " sider, whether their estates came to them, and " were settled upon them, by orders of both houses, " or by that law which his majesty defended: what " security they could have to enjoy their own, when " they had helped to rob his majesty; and what " an happy conclusion that war was like to have, " which was raised to oppress their sovereign: that " the wealth and glory of their city was not like " to be destroyed any other way, but by rebelling " against his majesty; and that way inevitably it " must; nor their wives and children to be exposed " to violence and villainy, but by those who make " their appetite and will the measure and guide " to all their actions. He advised them not to " fancy to themselves melancholy apprehensions, " which were capable of no satisfaction; but seri- " ously to consider what security they could have, " that they had not under his majesty, or [had] been " offered by him: and whether the doctrine those " men taught, and would have them defend, did not

" destroy the foundations upon which their security " was built?"

This great conflux, of men of all conditions, and qualities, and humours, could not continue long together at York, without some impatience and commotion; and most men wondered, that there appeared no provisions to be made towards a war, which they saw would be inevitable: and when the levies of soldiers under the earl of Essex were hastened with so much vigour, that the king should have no other preparation towards an army, than a single troop of guards made up of gentlemen volunteers; who, all men foresaw, would quit the troop when there should be an army: and many do yet believe, that the king too long deferred his recourse to arms; and that, if he had raised forces upon his first repulse at Hull, his service would have been very much advanced; and that the parliament would not have been able to have drawn an army together. And so they reproach the councils which were then about the king, as they were censured by many at that time: but neither they then, nor these now do understand the true reason thereof. The king had not, at that time, one barrel of powder, nor one musket, nor any other provision necessary for an army; and, which was worse, was not sure of any port, to which they might be securely assigned; nor had he money for the support of his own table for the term of one month. He expected, with impatience, the arrival of all those by the care and activity of the queen; who was then in Holland, and by the sale of her own, as well as of the crown jewels, and by the friendship of Henry prince of

Orange, did all she could to provide all that was necessary; and the king had newly directed her to send all to Newcastle, which was but then secured to him by the diligence of that earl; [the earl of that name.] In the mean time, both the king himself, and they who best knew the state of his affairs, seemed to be without any thoughts of making war; and to hope, that the parliament would at last incline to some accommodation; for which both his majesty and those persons were exposed to a thousand reproaches.

The queen had many difficulties to contend with; for though the prince of Orange had a very signal affection for the king's service, and did all he could to dispose the states to concern themselves in his majesty's quarrel; yet his authority and interest was much diminished with the vigour of his body and mind: and the states of Holland were so far from being inclined to the king, that they did him all the mischief they could. They had before assisted the rebellion in Scotland, with giving them credit for arms and ammunition, before they had money to buy any; and they did afterwards, several ways, discover their affections to the parliament; which had so many spies there, that the queen could do nothing they had not present notice of; so that it was no easy matter for the queen to provide arms and ammunition, but the parliament had present notice of it, and of the ways which were thought upon to transport them to the king: and then their fleet, under the command of the earl of Warwick, lay ready to obstruct and intercept that communication; nor was any remedy in view to remove

this mischief; insomuch as it was no easy thing for the king to send to, or to receive letters from, the queen.

There was a small ship of 28 or 30 guns, that was part of the fleet that wafted her majesty into Holland from Dover, which was called the Providence, under the command of captain Straughan, when the fleet was commanded by sir John Pennington, and before the earl of Warwick was superinduced into that charge against the king's will. That ship, the captain whereof was known to be faithful to his majesty, was by the queen detained, and kept in Holland from the time of her majesty's arrival, under several pretences, of which the captain made use, when he afterwards received orders from the earl of Warwick, "to repair to the fleet "in the Downs;" until, after many promises and excuses, it was at last discerned that he had other business and commands; and so was watched by the other ships as an enemy. This vessel the queen resolved to send to the king, principally to inform his majesty of the straits she was in; of the provisions she had made; and to return with such particular advice and directions from his majesty, that she might take further resolutions. And because the vessel was light, and drew not much water, and so could run into any creek, or open road, or harbour, and from thence easily send an express to the king; there was put into it about two hundred barrels of powder, and two or three thousand arms, with seven or eight field-pieces; which, they knew, would be very welcome to the king, and serve for a beginning and countenance to draw forces together. The captain was no sooner

put to sea, but notice was sent to the commander of the fleet in the Downs; who immediately sent three or four ships to the north, which easily got the Providence in view, before it could reach that coast; and chased it with all their sails, till they saw it enter into the river of Humber; when, looking upon it as their own, they made less haste to follow it, being content to drive it before them into their own port of Hull; there being, as they thought, no other way to escape them; until they plainly saw the ship entering into a narrow creek out of the Humber, which declined Hull, and led into the country some miles above it; which was a place well known to the captain, and designed by him from the beginning. It was in vain for them then to hasten their pursuit; for they quickly found that their great ships could not enter into that passage, and that the river was too shallow to follow him; and so, with shame and anger, they gave over the chase, whilst the captain continued his course; and having never thought of saving the ship, run it on shore near Burlington; and, with all expedition, gave notice to the king of his arrival; who, immediately, caused the persons of quality in the parts adjacent to draw the trained bands of the country together, to secure the incursions from Hull; and, by this means, the arms, ammunition, and artillery were quickly brought to York.

The king was well content that it should be generally believed, that this small ship, the size whereof was known to few, had brought a greater quantity and proportion of provisions for the war, than in truth it had; and therefore, though it had brought no money, which he expected, he forth-

with granted commissions, to raise regiments of horse and foot, to such persons of quality and interest, as were able to comply with their obligations. He declared the earl of Lindsey, lord high chamberlain of England, his general of the army; a person of great honour and courage, and generally beloved; who had many years before had good command in Holland and Germany, and had been admiral at sea in several expeditions. Sir Jacob Ashley was declared major general of the foot, a command he was very equal to, and had exercised before, and executed after, with great approbation. The generalship of the horse his majesty preserved for his nephew prince Rupert; who was daily expected, and arrived soon after: and all levies were hastened with as much expedition as was possible in so great a scarcity, and notorious want of money; of which no more need be said, after it is remembered that all the lords, and council about the king, with several other persons of quality, voluntarily made a subscription for the payment of so many horse for three months; in which time they would needs believe, that the war should be at an end; every one paying down what the three months' pay would amount to, into the hands of a treasurer appointed to receive it; and this money was presently paid for the making those levies of horse which were designed; and which could not have been made but by those monies.

And now the king thought it time to execute a resolution he had long intended, and which many men wondered he neglected so long; which was, as much as in him lay, to take the admiralty into his own hands. He had long too much cause to

be unsatisfied and displeased with the earl of Northumberland, whom he thought he had obliged above any man whatsoever. His delivering the fleet into the hands and command of the earl of Warwick, after his majesty had expressly refused it to the parliament, he resolved never to forgive; however, he thought it not then seasonable to resent it, because he had nothing to object against him, but his compliance with the command of the parliament, which would have made and owned it as their own quarrel; and must have obliged him [that earl] to put his whole interest into their hands, and to have run their fortune; to which he was naturally too much inclined: and then his majesty foresaw, that there would have been no fleet at all set out that year, by their having the command of all the money, which was to be applied to that service. Whereas, by his majesty's concealing his resentment, there was a good fleet made ready, and set out; and many gentlemen settled in the command of ships, of whose affection and fidelity his majesty was assured, that no superior officer could corrupt it; but that they would, at all times, repair to his service, whenever he required it. And, indeed, his majesty had an opinion of the devotion of the whole body of the common seamen to his service, because he had, bountifully, so much mended their condition, and increased their pay, that he thought they would have thrown the earl of Warwick overboard, when he should command them; and so the respiting the doing of it would be of little importance. But now, that a ship of his own, in the execution of his commands, should be chased by his own fleet as an enemy, made such

a noise in all places, even to his reproach and dishonour, that he could no longer defer the doing what he had so long thought of. He resolved, therefore, to revoke the earl of Northumberland's commission of the office of high admiral of England, and to send the revocation to him under the great seal of England: then, to send sir John Pennington, who was then at York, on board the fleet, and to take the charge of it: and letters were prepared, and signed by the king, to every one of the captains; whereby they were required "to observe "the orders of sir John Pennington." And all this was carried with all possible secrecy, that none, but those few who were trusted, knew, or suspected any such alteration.

But the king thought fit, first to advise with sir John Pennington; of whose integrity he was confident, and whose judgment he always principally relied on in all his maritime actions; and thought him the only person fit immediately to take the fleet out of the earl of Warwick's possession; who had dispossessed him of the command that year, which he had usually exercised. Sir John Pennington, finding the matter full of difficulty, and the execution like to meet with some interruptions, expressed no alacrity to undertake it in his own person; alleging, "that himself stood in the par-"liament's disfavour and jealousy, (which was "true,) and that therefore his motion, and journey "towards the Downs, where the fleet then lay, "would be immediately taken notice of; and his "majesty's design be so much guessed at, that "there would need no other discovery:" but propounded to his majesty, "that he would send a

" letter to sir Robert Mansel, who lived at Green-
" wich, speedily to go to the fleet, and to take
" charge of it; and that his authority, being vice-
" admiral of England, and his known and great
" reputation with the seamen, would be like to
" meet with the least resistance." His majesty, imparting this counsel to those whom he had made privy to his purpose, entered upon new considerations; and concluded, " that sir Robert
" Mansel's age, (though his courage and integrity
" were unquestionable,) and the accidents that de-
" pended upon that, would render that expedient
" most hazardous; and that, in truth, there needed
" no such absolute and supreme officer to be
" appointed in the first article; but rather, that
" his majesty should direct his special letter to the
" captain of every ship, requiring him immediately
" to weigh anchor, and to bring away his ship to
" such a place as his majesty might appoint, where
" he should receive further orders: and to that place
" he might send such an officer, as he thought fit
" to trust with the command of the whole navy so
" assembled." According to this resolution the whole despatch was prepared. First, a revocation of the earl of Northumberland's commission of admiral, under the great seal of England; of which there was a duplicate; the one to be sent to his lordship; the other to the earl of Warwick; whose commission was founded upon, and so determined by, the other. Then a several letter to each of the captains of his ships, informing them " of his
" majesty's revocation of the admiral's patent, and
" consequently of the determination of the earl of
" Warwick's commission," (to whom his majesty

likewise writ, to "inhibit him from further "meddling in that charge,") and therefore commanding them to yield no further obedience to either of their orders; but that, immediately upon the receipt of those his royal letters, he should weigh anchor; and, with what speed he might, repair to Burlington-bay upon the coast of Yorkshire; where he should receive his majesty's further pleasure: and so each commander, without relation to any other commands, had no more to look after but his own ship, and his own duty, by which the king might expect, at least, so many ships as were under the government of those, who had any affection or fidelity to his service.

Accordingly, all things being prepared, and signed by the king, and sealed, what immediately concerned the earl of Northumberland was delivered to Mr. May, his majesty's page, to be given to the earl of Northumberland at London; and the whole despatch to the fleet to Mr. Edward Villiers, whose diligence and dexterity his majesty found fit for any trust; the former being directed "not to "make such haste, but that the other might be at "least as soon at the Downs, as he at London;" and Mr. Villiers again being appointed what letters he should first deliver to the captains; "and that "he should visit the earl of Warwick in the last "place;" that his activity might have no influence upon the seamen, to prevent their obedience to his majesty. And surely if this resolution had been pursued, it is very probable that the king had been master of very many of his ships again. But, when the messengers were despatched and well instructed, and he that was for London gone on his

journey, there was a sudden and unexpected change of the whole direction to the fleet, by sir John Pennington's repair to his majesty; and, upon second thoughts, offering "to go himself to "the Downs, and to take charge of the fleet:" which changed the forms of the letters to the several captains; and, instead of leaving every one to use his best expedition to bring away his own ship to Burlington, "required them only to observe "such orders, as they should receive by sir John "Pennington;" who thought not fit (for the reasons formerly given of his being taken notice of) to go with Mr. Villiers; but, by him, writ to sir Henry Palmer, to whom likewise his majesty sent a letter to that purpose, being an officer of the navy, and who lived by the Downs, "immediately "to go aboard the admiral; and [that he] himself "would make all possible haste to him, setting out "at the same time with Mr. Villiers; but journeying "a further and more private way." Mr. Villiers, lest, by his stay for the alteration of his despatches, his companion's coming to London sooner than was expected at their parting might produce some inconvenience to the service, slept not till he came to sir Henry Palmer; who, being infirm in his health, and surprised with the command, could not make that expedition aboard, as might have been requisite; though he was loyally and zealously affected to his majesty's service. However, Mr. Villiers hastened to the ships which lay then at anchor, and, according to his instructions, delivered his several letters to the captains; the greatest part whereof received them with great expressions of duty and submission, expecting only

to receive sir John Pennington's orders, for which they staid; and, without doubt, if either the first letters had been sent, or sir John Pennington been present, when these others were delivered, his majesty had been possessed of his whole fleet; the earl of Warwick being at that time, according to his usual licenses, with some officers, whose company he liked, on shore making merry; so that there was only his vice-admiral, captain Batten, on board, who was of eminent disaffection to his majesty; the rear-admiral, sir John Mennes, being of unquestionable integrity.

But after five or six hours, (in which time nothing could be acted, for want of advice and direction; enough being ready to obey, but none having authority to command,) the earl of Warwick came aboard his ship, to whom Mr. Villiers likewise gave his majesty's letters of discharge; who, without any declaration of disobeying it, applied himself to the confirming those whom he thought true to his party, and diligently to watch the rest; presuming, that he should speedily hear from those by whom he had been originally trusted.

In the mean time, the captains expected orders from sir John Pennington; who likewise privately expected such an account from sir Henry Palmer, as might encourage him to come to the ships. But this unfortunate delay lost all; for the other gentleman, according to his instructions, having reached London in the evening after the houses were risen, delivered the king's letter, and the discharge of his commission, to the earl of Northumberland; who, with all shows of duty and submission, expressed "his resolution to obey his majesty;

" and a hearty sorrow, that he had, by any misfor-
" tune, incurred his majesty's displeasure." How ingenuous soever this demeanour of his lordship's was, the business was quickly known to those who were more concerned in it; who were exceedingly perplexed with the apprehension of being dispossessed of so great a part of their strength, as the royal fleet; and earnestly pressed the earl of Northumberland, " that, notwithstanding such his
" majesty's revocation, he would still continue the
" execution of his office of lord high admiral; in
" which they would assist him with their utmost
" and full power and authority." But his lordship alleging, " that it would ill become him, who
" had received that charge from the king, with so
" notable circumstances of trust and favour, to
" continue the possession thereof against his ex-
" press pleasure, there being a clause in his grant,
" that it should be only during such time as his
" majesty thought fit to use his service;" and so
" utterly refusing to meddle further in it;" as soon as they could get the houses together the next morning, they easily agreed to pass an ordinance, as they call it, " to appoint the earl of Warwick to
" be admiral of that fleet, with as full and ample
" authority, as he had before had from the earl of
" Northumberland." Which ordinance, together with letters, and votes of encouragement to his lordship, and to the officers and seamen, they speedily sent, by a member of their own; who arrived therewith, the next morning, after Mr. Villiers had delivered the king's letters; sir John Pennington in the mean time neither coming, or sending any further advice.

The earl of Warwick, being thus armed, found himself master of his work; and immediately summoned all the captains, to attend him on board his ship in council; the which all but two did, (captain Slingsby and captain Wake,) who, being by his majesty's letters, as the rest were, expressly charged to yield no further obedience to the earl of Warwick, refused to repair to him; making themselves ready to resist any violence, and putting their ships in order to go out to sea, that they might be at liberty to attend his majesty's commands: but they were so encompassed by the whole fleet, and the dexterity of the earl's ministers was such, and the devotion, generally, of the seamen so tainted, and corrupted to the king's service, that, instead of carrying away the ships, the captains themselves were seized, taken, and carried by their own men to the earl; who immediately committed them to custody, and sent them up prisoners to the parliament. Then his lordship communicated the ordinance, letters, and votes from the two houses to the rest of the officers; of whom only two more refused to continue their charge against the signification they had received from the king, (sir John Mennes and captain Burly,) who were quickly discharged, and set on shore; and the rest, without any scruple or hesitation, "obliged themselves to obey the earl "of Warwick, in the service of the parliament;" so that the storm was now over, and the parliament fully and entirely possessed of the whole royal navy, and militia by sea; for they quickly disposed of two other honest captains, Kettleby and Stradlin, (whom they could not corrupt,) who guarded the Irish seas; and got those ships likewise into their

service. And thus his majesty was without one ship of his own, in his three kingdoms, at his devotion.

As this loss of the whole navy was of unspeakable ill consequence to the king's affairs, and made his condition much the less considered by his allies, and neighbour princes; who saw the sovereignty of the sea now in other hands, who were more imperious upon the apprehension of any discourtesies, than regular and lawful monarchs used to be; I cannot but observe some unhappy circumstances and accidents in this important business of the navy, which looked like the hand of Providence to take that strength, of which his majesty was most confident, out of his hands. When the resolution of the house of commons, and, after, the concurrence of the lords, was peremptory, and the earl of Northumberland's compliance with them as obstinate, "for the sending the earl of Warwick "admiral of that fleet, in the place of sir John "Pennington, upon whom the king depended;" it was resolved likewise, "that captain Carteret, "controller of his majesty's navy, a man of great "eminency and reputation in naval command, "should be vice-admiral;" he thinking it became his near relation to his majesty's service, to receive his royal pleasure, before he engaged himself in any employment of that nature, addressed himself for his princely directions. The king thought his fleet upon the matter taken from him, when another, whose disaffection to his service was very notorious, was, contrary to his express pleasure, presumptuously put into the command of it, and his own minister displaced for no other reason (his sufficiency and ability for command being by all men

confessed) but his zeal and integrity to him, and therefore he would not countenance that fleet, and that admiral, with suffering an officer of his own to command in it under the other; and so wished captain Carteret to decline the employment, which he prudently, and without noise, did; and thereupon, another officer of the navy, even the surveyor general, captain Batten, a man of very different inclinations to his master, and his service, and furious in the new fancies of religion, was substituted in the place: whereas if captain Carteret had been suffered to have taken that charge, his interest and reputation in the navy was so great, and his diligence and dexterity in command so eminent, that I verily believe, he would, against whatsoever the earl of Warwick could have done, have preserved a major part of the fleet in their duty to the king. The misfortunes which happened after, and are mentioned before, are not in justice to be imputed to sir John Pennington; who, sure, was a very honest gentleman, and of unshaken faithfulness and integrity to the king; but to the little time he had to think of it: and the perplexity he was in (besides his true zeal to the service) to think that so great a service, as the recovery of the royal navy, should be done by his personal engagement, and to look so vigilantly to his own security, that, instead of taking the fleet from the earl of Warwick, he was not himself taken by the earl, and sent to the parliament; where the carrying over the lord Digby, and some other jealousies, had left a great arrear of displeasure against him.

The truth is, the king was so confident upon the general affections of the seamen, who were a tribe

of people more particularly countenanced and obliged by him than other men, his majesty having increased their allowance, in provision and money, above the old establishment of the navy, that he did believe no activity of ill officers could have corrupted them; but that, when the parliament had set out and victualled the fleet, it would, upon any occasion, declare itself at his devotion. On the other side, they had been taught to believe, that all the king's bounty and grace towards them had flowed from the mediation of those officers, who were now engaged against the king; and that, the parliament having seized the customs, and all other the revenues of the king, they had no other hope of pay or subsistence, but by absolutely devoting themselves to their service; so that a greater or more general defection of any one order of men was never known, than that, at this time, of the seamen; though many gentlemen, and some few of the common sort, to their lasting honour and reputation, either addressed themselves to the active service of their sovereign, or suffered imprisonment, and the loss of all they had, for refusing to serve against him.

The news of this diminution of his majesty's power, and terrible addition of strength to his enemies, was a great allay to the brisk hopes at York, upon the arrival of their ammunition, and wise men easily discerned the fatal consequence of it in opposition to the most hopeful designs; yet, in a very short time, all visible sense of it so much vanished, that (as there was a marvellous alacrity at that time, in despising all advantages of the parliament) men publicly, and with great confidence,

averred, "that the king was a gainer by the loss "of his fleet, because he had no money to pay the "seamen, or keep them together; and that one "victory at land, of which there was no doubt, "would restore him to his dominion at sea, and to "whatsoever had been unjustly taken from his "majesty."

But the king found it was now time to do more than write declarations, that they [parliament] were now entirely possessed of the militia by sea, and made such a progress in the attempt to resume the same at land, that though the people generally, (except in great towns and corporations, where, besides the natural malignity, the factious lecturers and emissaries from the parliament had poisoned their affections,) and especially those of quality, were loyally inclined; yet the terror of the house of commons was so great, which sent for and grievously punished those sheriffs and mayors, who published, according to their duties and express oaths, his majesty's proclamation, and those ministers, who, according to his injunctions, read and divulged his declarations, that all such, and indeed all others eminently affected to the king, were forced to fly to York for protection, or to hide themselves in corners from that inquisition which was made for them. And therefore his majesty, in the first place, that he might have one harbour to resort to in his kingdom, sent the earl of Newcastle, privately, with a commission to take the government of Newcastle; who against the little opposition, that was prepared by the schismatical party in the town, by his lordship's great interest in those parts, the ready compliance of the best of the gentry,

and the general good inclinations of the place, speedily and dexterously assured that most important rich town and harbour to the king; which, if it had been omitted but very few days, had been seized on by the parliament, who had then given direction to that purpose. Then for the protection of the general parts of the kingdom, and keeping up their affections, his majesty appointed and sent many of the nobility and prime gentlemen of the several counties, who attended him, into their [respective] counties to execute the commission of array, making the marquis of Hertford, by commission under the great seal of England, (which he was to keep secret in reserve, till he found, either by the growth, or extraordinary practice of the parliament in raising forces, that the commission of array was not enough,) "his lieutenant general of all the western "parts of the kingdom, with power to levy such a "body of horse and foot, as he found necessary "for his majesty's service, and the containing the "people within the limits of their duty." With the marquis went the earl of Bath, (thought then to be of notable power and interest in Devonshire,) the lord Pawlet, the lord Seymour, sir Ralph Hopton, sir John Berkley, sir Hugh Pellard, and other very good officers, to form an army if it should be found expedient. And so, much of the lustre of the court being abated by the remove of so many persons of honour and quality, though it was spread farther by their necessary absence, the king began to think of increasing and forming his train into a more useful posture, than it was yet; and, without any noise of raising an army, to make the scene of his first action to be the recovery of Hull (whither

new forces were sent from London) by the ordinary forces and trained bands of that county; by colour whereof, he hoped to have such resort, that he should need no other industry to raise such an army as should be sufficient to preserve himself from the violence which threatened his safety; and accordingly, that the people might fully understand his intentions, he summoned some of the trained bands to attend him at Beverley, a town within four miles of Hull, whither he removed his court, and published a proclamation, briefly containing "the rebellion of sir John Hotham, in holding that "town by a garrison against him; his demanding "justice from the two houses without effect; the "seizing his fleet at sea; and the hostile acts of "sir John Hotham upon the inhabitants of that "town, many of whom he turned out of their habi-"tations; and upon the neighbour county, by im-"prisoning many, and driving others for fear from "their houses: and therefore that he was resolved "to reduce the same by force: inhibiting all com-"merce or traffic with the said town, whilst it con-"tinued in rebellion."

Which proclamation he likewise sent to both houses of parliament, with this further signification, "That, before he would use force to reduce "that place to its due obedience, he had thought "fit once more to require them, that it might be "forthwith delivered to him; wherein if they "should conform themselves, his majesty would be "then willing to admit such addresses from them, "and return such propositions to them, as might "be proper to settle the peace of the kingdom, and "compose the present distractions. He wished

" them to do their duty, and to be assured from " him, on the word of a king, that nothing should " be wanting on his part, that might prevent the " calamities which threatened the nation, and might " render his people truly happy; but if that his " gracious invitation should be declined, God and " all good men must judge between them:" and assigned a day, by which he would expect their answer at Beverley.

In the mean time, to encourage the good affections of Nottinghamshire, which seemed almost entirely to be devoted to his service, and to countenance and give some life to those in Lincolnshire, where, in contempt of his proclamations, the ordinance of the militia had been boldly executed by the lord Willoughby of Parham, and some members of the house of commons, his majesty took a short progress to Newark; and, after a day's stay, from thence to Lincoln; and so, by the day appointed, returned to Beverley; having, in both those places, been attended with such an appearance of the gentlemen and men of quality, and so full a concourse of the people, as one might reasonably have guessed the affections of both those counties would have seconded any just and regular service for the king.

They at London were not less active; but, upon their success in the business of the navy, proceeded to make themselves strong enough, at least, to keep what they had; and therefore, having, by their ordinance of the militia, many voluntary companies formed of men according to their own hearts; and, by their subscriptions, being supplied with a good stock of money, and a good number of horse;

before the king's message from Beverley came to them, on the twelfth of July, being the same day the message went from the king, both houses voted and declared, " That an army should be forthwith " raised for the safety of the king's person; defence " of both houses of parliament, and of those who " had obeyed their orders and commands; and " preserving of the true religion, the laws, liberty, " and peace of the kingdom. That the earl of " Essex should be their general, and that they " would live and die with him." And, having put themselves into this posture of treating, the same day they agreed that a petition should be framed, " to move the king to a good accord with the " parliament, to prevent a civil war;" the which was purposely then consented to, that the people might believe, the other talk of an army and a general was only to draw the king to the more reasonable concessions. And it is certain, the first was consented to by many, especially of the house of peers, (in hope the better to compass the other,) with the perfect horror of the thought of a war. Though the king's message came to them before their own was despatched, yet, without the least notice taken of it, and lest the contents of their petition might be known before the arrival of their own messengers, the earl of Holland, sir John Holland, and sir Philip Stapleton, being the committee appointed for the same, made a speedy and quick journey to Beverley; and arrived in the same minute that the king came thither from Lincoln: so that his majesty no sooner heard of the raising an army, and declaring a general against him, but he was encountered with the messengers for peace;

who reported to all whom they met, and with whom they conversed, " that they had brought so " absolute a submission from the parliament to the " king, that there could be no doubt of a firm and " happy peace:" and when the earl of Holland presented the petition, he first made a short speech to the king, telling him, " that the glorious motto " of his blessed father, king James, was *Beati* " *pacifici*, which he hoped his majesty would con- " tinue; that they presented him with the humble " duty of his two houses of parliament, who desired " nothing from him but his consent, and acceptance " of peace; they aiming at nothing but his ma- " jesty's honour and happiness:" and then read their message aloud, in these words:

To the king's most excellent majesty, the humble petition of the lords and commons assembled in parliament.

" May it please your majesty:

" Although we, your majesty's most humble and " faithful subjects, the lords and commons in par- " liament assembled, have been very unhappy in " many former petitions and supplications to your " majesty; wherein we have represented our most " dutiful affections in advising and desiring those " things, which we held most necessary for the " preservation of God's true religion, your majesty's " safety and honour, and the peace of the kingdom: " and, with much sorrow, do perceive that your " majesty, incensed by many false calumnies and " slanders, doth continue to raise forces against us, " and your other peaceable and loyal subjects; and

" to make great preparations for war, both in the " kingdom, and from beyond the seas; and, by " arms and violence, to overrule the judgment and " advice of your great council; and by force to " determine the questions there depending, con- " cerning the government and liberty of the king- " dom: yet, such is our earnest desire of discharg- " ing our duty to your majesty and the kingdom " to preserve the peace thereof, and to prevent the " miseries of civil war amongst your subjects, that, " notwithstanding we hold ourselves bound to use " all the means and power, which, by the laws and " constitutions of this kingdom, we are trusted with " for defence and protection thereof, and of the " subjects from force and violence, we do, in this " our humble and loyal petition, prostrate ourselves " at your majesty's feet; beseeching your royal " majesty, that you will be pleased to forbear and " remove all preparations and actions of war; " particularly the forces from about Hull, from " Newcastle, Tinmouth, Lincoln, and Lincolnshire, " and all other places. And that your majesty " will recall the commissions of array, which are " illegal; dismiss troops, and extraordinary guards " by you raised: that your majesty will come " nearer to your parliament, and hearken to their " faithful advice and humble petitions; which shall " only tend to the defence and advancement of " religion, your own royal honour and safety, the " preservation of our laws and liberties. And we " have been, and ever shall be, careful to prevent " and punish all tumults, and seditious actions, " speeches, and writings, which may give your " majesty just cause of distaste, or apprehension of

" danger. From which public aims and resolutions " no sinister or private respect shall ever make us " to decline. That your majesty will leave delin- " quents to the due course of justice; and that " nothing done or spoken in parliament, or by any " person in pursuance of the command and direc- " tion of both houses of parliament, be questioned " any where but in parliament.

" And we, for our parts, shall be ready to lay " down all those preparations, which we have been " forced to make for our defence. And for the " town of Hull, and the ordinance concerning the " militia, as we have, in both these particulars, " only sought the preservation of the peace of the " kingdom, and the defence of the parliament from " force and violence; so we shall most willingly " leave the town of Hull in the state it was, before " sir John Hotham drew any forces into it; deli- " vering your majesty's magazine into the tower " of London, and supplying whatsoever hath been " disposed by us for the service of the kingdom. " We shall be ready to settle the militia by a bill, " in such a way as shall be honourable and safe " for your majesty, most agreeable to the duty of " parliament, and effectual for the good of the " kingdom; that the strength thereof be not em- " ployed against itself, and that which ought to be " for our security, applied to our destruction; and " that the parliament, and those who profess and " desire still to preserve the protestant religion, " both in this realm and in Ireland, may not be " left naked, and indefensible to the mischievous " designs and cruel attempts of those, who are the " professed and confederated enemies thereof in

" your majesty's dominions, and other neighbour " nations. To which if your majesty's courses and " counsels shall from henceforth concur, we doubt " not but we shall quickly make it appear to the " world, by the most eminent effects of love and " duty, that your majesty's personal safety, your " royal honour and greatness, are much dearer " to us than our own lives and fortunes, which " we do most heartily dedicate, and shall most " willingly employ for the support and maintenance " thereof."

As soon as this petition was read by the earl of Holland, the king told them, " that the reproaches " cast upon him by it were not answerable to the " expressions his lordship had made; and that he " was sorry that they thought the exposing him " and his honour to so much scandal, was the way " to procure or preserve the peace of the kingdom: " that they should speedily receive his answer; by " which the world would easily discern who desired " peace most." And accordingly, the second day, his majesty delivered them, in public, his answer to their petition, which was likewise read by one of his servants, in these words:

His majesty's answer to the petition of the lords and commons assembled in parliament.

" Though his majesty had too great reason to " believe that the directions sent to the earl of " Warwick, to go to the river Humber, with as " many ships as he should think fit, for all pos- " sible assistance to sir John Hotham, (whilst his " majesty expected the giving up of the town unto

" him,) and to carry away such arms from thence,
" as his discretion thought fit to spare out of his
" majesty's own magazine; the choosing a general
" by both houses of parliament, for the defence of
" those who have obeyed their orders and com-
" mands, be they never so extravagant and illegal;
" their declaration, that, in that case, they would
" live and die with the earl of Essex their general;
" (all which were voted the same day with this
" petition;) and the committing the lord mayor of
" London to prison, for executing his majesty's
" writs and lawful commands; were but ill pro-
" logues to a petition, which might compose the
" miserable distractions of the kingdom; yet his
" majesty's passionate desire of the peace of the
" kingdom, together with the preface of the pre-
" senters, That they had brought a petition full of
" duty and submission to his majesty; and which
" desired nothing of him but his consent to peace,
" (which his majesty conceived to be the language
" of both houses too,) begot a greedy hope and
" expectation in him, that this petition would have
" been such an introduction to peace, that it would
" at least have satisfied his message of the eleventh
" of this month, by delivering up Hull unto his
" majesty. But, to his unspeakable grief, his ma-
" jesty hath too much cause to believe, that the
" end of some persons, by this petition, is not in
" truth to give any real satisfaction to his majesty;
" but, by the specious pretences of making offers
" to him, to mislead and seduce his people, and
" lay some imputation upon him, of denying what is
" fit to be granted; otherwise, it would not have
" thrown those unjust reproaches and scandals

" upon his majesty, for making necessary and just " defence for his own safety; and so peremptorily " justified such actions against him, as by no rule " of law or justice can admit the least colour of " defence: and, after so many free and unlimited " acts of grace passed by his majesty without any " condition, have proposed such things which, in " justice, cannot be denied unto him, upon such " conditions as, in honour, he cannot grant. How- " ever, that all the world may see how willing " his majesty would be to embrace any overture, " that might beget a right understanding between " him and his two houses of parliament, (with " whom, he is sure, he shall have no contention, " when the private practices and subtle insinuations " of some few malignant persons shall be dis- " covered, which his majesty will take care shall " be speedily done,) he hath, with great care, " weighed the particulars of this petition, and " returns this answer:

" That the petitioners were never unhappy in " their petitions or supplications to his majesty, " while they desired any thing which was necessary " or convenient for the preservation of God's true " religion, his majesty's safety and honour, and the " peace of the kingdom: and therefore, when those " general envious foundations are laid, his majesty " could wish some particular instances had been " applied. Let envy and malice object one par- " ticular proposition for the preservation of God's " true religion which his majesty hath refused to " consent to; what himself hath often made for " the ease of tender consciences, and for the ad- " vancement of the protestant religion, is notorious

" by many of his messages and declarations. What " regard hath been to his honour and safety, when " he hath been driven from some of his houses, " and kept from other of his towns by force; and " what care there hath been of the peace of the " kingdom, when endeavour hath been used to put " all his subjects in arms against him, is so evident, " that, his majesty is confident, he cannot suffer " by those general imputations. It is enough that " the world knows what he hath granted, and " what he hath denied.

" For his majesty's raising forces, and making " preparations for war, (whatsoever the petitioners, " by the evil arts of the enemies to his majesty's " person and government, and by the calumnies " and slanders raised against his majesty by them, " are induced to believe,) all men may know what " is done that way is but in order to his own de- " fence. Let the petitioners remember, that (which " all the world knows) his majesty was driven from " his palace of Whitehall for safety of his life: " that both houses of parliament, upon their own " authority, raised a guard to themselves, (having " gotten the command of all the trained bands of " London to that purpose,) without the least colour " or shadow of danger: that they usurped a power, " by their pretended ordinance, against all prin- " ciples and elements of law, over the whole militia " of the kingdom, without and against his majesty's " consent: that they took possession of his town, " fort, and magazine of Hull, and committed the " same to sir John Hotham; who shut the gates " against his majesty, and, by force of arms, denied " entrance thither to his own person: that they

"justified this act which they had not directed,
"and took sir John Hotham into their protection
"for whatsoever he had done, or should do, against
"his majesty: and all this, whilst his majesty had
"no other attendance than his own menial servants.
"Upon this, the duty and affection of this county
"prompted his subjects here to provide a small guard
"for his own person; which was no sooner done,
"but a vote suddenly passed of his majesty's in-
"tention to levy war against his parliament, (which,
"God knows, his heart abhorreth;) and, notwith-
"standing all his majesty's professions, declara-
"tions, and protestations to the contrary, se-
"conded by the clear testimony of so great a
"number of peers upon the place, propositions
"and orders for levies of men, horse, and arms,
"were sent throughout the kingdom; plate and
"money brought in and received; horse and men
"raised towards an army, mustered, and under
"command; and all this contrary to the law,
"and to his majesty's proclamation: and a decla-
"ration published, that if he should use force for
"the recovery of Hull, or suppressing the pretended
"ordinance for the militia, it should be held levy-
"ing war against the parliament: and all this
"done, before his majesty granted any commission
"for the levying or raising a man. His majesty's
"ships were taken from him, and committed to the
"custody of the earl of Warwick; who presumes,
"under that power, to usurp to himself the sove-
"reignty of the sea, to chase, fright, and imprison
"such of his majesty's good subjects, as desire to
"obey his lawful commands; although he had
"notice of the legal revocation of the earl of

" Northumberland's commission of admiral, where-
" by all power derived from that commission
" ceased.

" Let all the world now judge who began this
" war, and upon whose account the miseries, which
" may follow, must be cast; what his majesty could
" have done less than he hath done; and whether
" he were not compelled to make provision both
" for the defence of himself, and recovery of what
" is so violently and injuriously taken from him;
" and whether these injuries and indignities are
" not just grounds for his majesty's fears and appre-
" hensions of further mischief and danger to him.
" Whence the fears and jealousies of the petitioners
" have proceeded, hath never been discovered; the
" dangers they have brought upon his subjects are
" too evident; what those are they have prevented,
" no man knows. And therefore his majesty can-
" not but look upon that charge as the boldest, and
" the most scandalous, hath been yet laid upon
" him; That this necessary provision, made for his
" own safety and defence, is to overrule the judg-
" ment and advice of his great council; and by
" force to determine the questions there depending,
" concerning the government and liberty of the
" kingdom. If no other force had been raised to
" determine those questions, than by his majesty,
" this unhappy misunderstanding had not been:
" and his majesty no longer desires the blessing
" and protection of Almighty God upon himself
" and his posterity, than he and they shall solemnly
" observe the due execution of the laws, in the
" defence of parliaments, and the just freedom
" thereof.

"For the forces about Hull, his majesty will "remove them, when he hath obtained the end "for which they were brought thither. When "Hull shall be reduced again to his subjection, he "will no longer have an army before it. And "when he shall be assured, that the same neces- "sity and pretence of public good, which took "Hull from him, may not put a garrison into New- "castle to keep the same against him, he will "remove his from thence, and from Tinmouth; "till when, the example of Hull will not out of his "memory.

"For the commissions of array, which are legal, "and are so proved by a declaration now in the "press, his majesty wonders why they should, at "this time, be thought grievous, and fit to be re- "called: if the fears of invasion and rebellion be "so great, that, by an illegal, pretended ordinance, "it is necessary to put his subjects into a posture "of defence, to array, train, and muster them, he "knows not why the same should not be done in a "regular, known, lawful way. But if, in the ex- "ecution of that commission, any thing shall be "unlawfully imposed upon his good subjects, his "majesty will take all just and necessary care for "their redress.

"For his majesty's coming nearer to his parlia- "ment, his majesty hath expressed himself so fully "in his several messages, answers, and declara- "tions, and so particularly avowed a real fear of "his safety, upon such instances as cannot be "answered, that he hath reason to take himself "somewhat neglected, that, since upon so manifest "reasons it is not safe for his majesty to come to

" them, both his houses of parliament will not " come nearer to his majesty, or to such a place " where the freedom and dignity of parliament " might be preserved. However, his majesty " shall be very glad to hear of some such example " in their punishing the tumults (which he knows " not how to expect, when they have declared " that they knew not of any tumults; though the " house of peers desired, both for the freedom and " dignity of parliament, that the house of commons " would join with them in a declaration against " tumults; which they refused, that is, neglected " to do) and other seditious actions, speeches, and " writings, as may take that apprehension of " danger from him; though, when he remembers " the particular complaints himself hath made of " businesses of that nature, and that, instead of " inquiring out the authors, neglect of examination " hath been, when offer hath been made to both " houses to produce the authors; as in that trea- " sonable paper concerning the militia: and when " he sees every day pamphlets published against " his crown, and against monarchy itself; as the " observations upon his late messages, declarations, " and expresses; and some declarations of their " own, which give too great encouragement, in " that argument, to ill affected persons; his majesty " cannot, with confidence, entertain those hopes " which would be most welcome to him.

" For the leaving delinquents to the due course " of justice, his majesty is most assured he hath " been no shelter to any such. If the tediousness " and delay in prosecution, the vast charge in " officers' fees, the keeping men under a general

" accusation, without trial, a whole year and more,
" and so allowing them no way for their defence
" and vindication, have frightened men away from
" so chargeable and uncertain attendance, the
" remedy is best provided where the disease grew.
" If the law be the measure of delinquency, none
" such are within his majesty's protection: but if
" by delinquents such are understood, who are
" made so by vote, without any trespass upon any
" known or established law: if by delinquents those
" nine lords are understood, who are made delin-
" quents for obeying his majesty's summons to
" come to him, after their stay there was neither
" safe nor honourable, by reason of the tumults,
" and other violences; and whose impeachment,
" he is confident, is the greatest breach of privilege,
" that, before this parliament, was ever offered to
" the house of peers: if by delinquents such are
" understood, who refuse to submit to the pre-
" tended ordinance of the militia; to that of the
" navy; or to any other, which his majesty hath
" not consented to; such who for the peace of the
" kingdom, in an humble manner, prepare petitions
" to him, or to both houses, as his good subjects of
" London and Kent did; whilst seditious ones, as
" that of Essex, and other places, are allowed and
" cherished: if by delinquents such are understood,
" who are called so for publishing his proclama-
" tions, as the lord mayor of London; or for read-
" ing his messages and declarations, as divers
" ministers about London and elsewhere; when
" those against him are dispersed with all care and
" industry, to poison and corrupt the loyalty and
" affection of his people; if by delinquents such

" are understood, who have, or shall lend his " majesty money, in the universities, or in any " other places; his majesty declares to all the " world, that he will protect such with his utmost " power and strength; and directs, that, in these " cases, they submit not to any messengers, or " warrant; it being no less his duty to protect " those who are innocent, than to bring the guilty " to condign punishment; of both which the law " is to be judge. And if both houses do think fit " to make a general, and to raise an army for de- " fence of those who obey their orders and com- " mands, his majesty must not sit still, and suffer " such who submit to his just power, and are so- " licitous for the laws of the land, to perish and be " undone, because they are called delinquents. " And when they shall take upon them to dispense " with the attendance of those who are called by " his majesty's writ, whilst they send them to sea, " to rob his majesty of his ships; or into the " several counties, to put his subjects in arms " against him; his majesty (who only hath it) will " not lose the power to dispense with them to " attend his own person; or to execute such " offices, as are necessary for the preservation of " himself and the kingdom; but must protect " them, though they are called delinquents.

" For the manner of the proceeding against " delinquents, his majesty will proceed against " those who have no privilege of parliament, or in " such cases where no privilege is to be allowed, " as he shall be advised by his learned council, and " according to the known and unquestionable rules " of the law; it being unreasonable, that he should

" be compelled to proceed against those who have " violated the known and undoubted law, only be- " fore them who have directed such violation.

" Having said thus much to the particulars of " the petition, though his majesty hath reason to " complain, that, since the sending this petition, " they have beaten their drums for soldiers against " him; armed their own general with a power de- " structive to the law, and liberty of the subjects; " and chosen a general of their horse; his majesty, " out of his princely love, tenderness, and com- " passion of his people, and desire to preserve the " peace of the kingdom, that the whole force and " strength of it may be united for the defence of " itself, and the relief of Ireland, (in whose behalf " he conjures both his houses of parliament, as " they will answer the contrary to Almighty God, " his majesty, to those who trust them, and to " that bleeding, miserable kingdom, that they " suffer not any monies, granted and collected by " act of parliament, to be diverted or employed " against his majesty; whilst his soldiers in that " kingdom are ready to mutiny, or perish for want " of pay; and the barbarous rebels prevail by that " encouragement,) is graciously pleased once more " to propose and require,

" That his town of Hull be immediately delivered " up to him; which being done, (though his " majesty hath been provoked by unheard of inso- " lences of sir John Hotham's, since his burning " and drowning the country, in seizing his wine, " and other provisions for his house, and scorn- " fully using his servant, whom he sent to require " them; saying, it came to him by Providence,

" and he will keep it; and so refusing to deliver " it, with threats if he, or any other of his fellow- " servants, should again repair to Hull about it; " and in taking and detaining prisoners, divers " gentlemen, and others, in their passage over the " Humber into Lincolnshire about their necessary " occasions; and such other indignities, as all " gentlemen must resent in his majesty's behalf,) " his majesty, to shew his earnest desire of peace, " for which he will dispense with his own honour, " and how far he is from desire of revenge, will " grant a free and general pardon to all persons " within that town.

" That his majesty's magazine, taken from Hull, " be forthwith put into such hands, as he shall " appoint.

" That his navy be forthwith delivered into " such hands, as he hath directed for the govern- " ment thereof: the detaining thereof after his " majesty's directions, published and received, to " the contrary; and employing his ships against " him in such manner as they are now used, being " notorious high treason in the commanders of " those ships.

" That all arms, levies, and provisions for a war, " made by the consent of both houses, (by whose " example his majesty hath been forced to make " some preparations,) be immediately laid down; " and the pretended ordinance for the militia, and " all power of imposing laws upon the subject " without his majesty's consent, be disavowed; " without which, the same pretence will remain to " produce the same mischief. All which his " majesty may as lawfully demand as to live, and

" can with no more justice be denied him, than " his life may be taken from him.

" These being done, and the parliament adjourn- " ed to a safe and secure place, his majesty pro- " mises, in the presence of God, and binds himself " by all his confidence and assurance in the affec- " tion of his people, that he will instantly, and " most cheerfully, lay down all the force he shall " have raised, and discharge all his future and " intended levies; that there may be a general " face of peace over the whole kingdom; and will " repair to them: and desires, that all differences " may be freely debated in a parliamentary way; " whereby the law may recover its due reverence, " the subject his just liberty, and parliaments " themselves their full vigour and estimation; and " so the whole kingdom a blessed peace, quiet, and " prosperity.

" If these propositions shall be rejected, his ma- " jesty doubts not of the protection and assistance " of Almighty God, and the ready concurrence of " his good subjects; who can have no hope left " them of enjoying their own long, if their king " may be oppressed and spoiled, and must be reme- " diless. And though his towns, his ships, his " arms, and his money, be gotten, and taken from " him, he hath a good cause left, and the hearts of " his people; which, with God's blessing, he doubts " not, will recover all the rest.

" Lastly, if the preservation of the protestant re- " ligion, the defence of the liberty and law of the " kingdom, the dignity and freedom of parliament, " and the recovery and the relief of bleeding and " miserable Ireland, be equally precious to the peti-

" tioners, as they are to his majesty, (who will have " no quarrel but in defence of these,) there will be a " cheerful and speedy consent to what his majesty " hath now proposed and desired: and of this his " majesty expects a full and positive answer by " Wednesday the 27th of this instant July; till " when he shall not make any attempt of force " upon Hull, hoping in the affection, duty, and " loyalty of the petitioners: and, in the mean time, " expects that no supply of men be put into Hull, " or any of his majesty's goods taken from thence."

The whole court, upon the hearing that petition from the two houses read, expressed a marvellous indignation at the intolerable indignities offered to the king by it; and seemed no better satisfied with the messengers; who had professed, that they brought an absolute submission to his majesty; when, in truth, what they brought appeared to be a full justification of whatsoever they had done before, and an implied threat of doing worse, and fixing all the scandals upon his majesty, which they had scattered abroad before: insomuch as all men expected and believed his majesty to be engaged, for the vindication of his princely dignity and honour, to return a much sharper answer to them than he had ever sent. So that, when this which is before set down (and which had before been consented to, and approved in the full assembly of the peers and counsellors) was read publicly, it was generally thought, that the king had not enough resented the insolence and usurpation of the parliament, or appeared sensible enough of the provocations: yet the thought of a war, which wise men saw actually levied upon the king already, was so much abhorred,

and men were so credulous of every expedient which was pretended for peace, that by the next morning (the answer being delivered in the evening) these active messengers for the parliament persuaded many "that the king's answer was too sharp, and "would provoke the houses, who were naturally "passionate, to proceed in the high ways they were "in; whereas, if the king would abate that severity "of language, and would yet take off the preamble "of his answer, they were confident, and the earl of "Holland privately offered to undertake, that satis-"faction should be given to all that his majesty "proposed." And, by this means, some were so far wrought upon, as they earnestly importuned the king, "that he would take his answer, which he "had publicly delivered the night before, from the "messengers; and, instead thereof, return the sum "matter of his own propositions only, in the most "soft and gentle language; without the preamble, "or any mention of their unjustifiable and unrea-"sonable demeanour towards him."

But his majesty replied, "that he had for a long "time, even after great provocations, and their first "general remonstrance to the people, treated with "all imaginable compliance and lenity of words "with them; and discovered their unjustifiable and "most extravagant proceedings with and against "him, and the consequences that would inevitably "attend their progress in them, with such tender "expressions, as if he believed whatever was amiss "to proceed from misinformation only, and unskil-"ful mistakes: that this gentleness and regard of "his was so far from operating upon them, that "their insolence and irregularities increased; and

" it might be from that reason, [that] their mes-
" sages and declarations were written in so high a
" dialect, and with that sovereignty of language, as
" if he were subject to their jurisdiction; and he
" did not know but it might have some influence
" upon his people to his disadvantage, that is, raise
" terror towards them, and lessen their reverence
" towards his majesty, when all their petitions and
" propositions were more imperative than his just
" and necessary refusals: which condescension his
" majesty had brought himself to, in hope, that his
" example, and their natural shame, would have re-
" formed that new license of words: that this last
" address, under the name of a petition, (a few days
" after they had violently ravished his whole fleet
" from him; and prepared the same day, that they
" had chosen a general, to whom they had sworn
" allegiance, to lead an army against him,) con-
" tained a peremptory justification of whatsoever
" they had done, and as peremptory a threatening
" of whatsoever they could do: and therefore, if he
" should now retract his answer, which had been
" solemnly considered in council, before all the
" peers, and which in truth implied rather a princely
" resentment of the indignities offered to him, than
" flowed with any sharp or bitter expressions, he
" should, by such yielding, give encouragement to
" new attempts; and could not but much discou-
" rage those, upon whose affections and loyalty
" he was principally to depend; who could not
" think it safe to raise themselves to an indignation
" on his behalf, when he expressed so tender or so
" little sense of his own sufferings: besides, that
" he was then upon an avowed hostile enterprise

" for the reduction of Hull; towards which he was " to use all possible means to draw a force together, " equal to that design; and by such a retractation " as this proposed, and a seeming declension of his " spirit, and depending upon their good natures, " who had done all this mischief, he should not " only be inevitably disappointed of the resort of " new strength, but, probably, deserted by those " few whom he had brought together: that he " could not reasonably or excusably depend upon " the undertaking of the earl of Holland; who had " so grossly deceived him in other undertakings, " which were immediately in his own power to " have performed: whereas neither he, or either of " the other two gentlemen, who were joined with " him in this employment, had so much interest " with the active and prevailing party, as to know " more of their intentions than was at present ne- " cessary to be discovered for their concurrence.

" He said, that he had never yet consented to " any one particular, since the beginning of this " parliament, by which he had received prejudice, " at the doing whereof he had not the solemn un- " dertakings and promises of those, who were much " abler to justify their undertakings than the earl of " Holland; and upon whom he only depended, that " it should be no disservice to him, and would be " an infallible means to compass all that his ma- " jesty reasonably desired: but he had always found " those promisers and undertakers, though they " could eminently carry on any counsel, or conclu- " sion, that was against law, justice, or his right, " had never power to reduce or restrain those agi- " tations within any bounds of sobriety and mode-

" ration: and when they found that many would " not be guided by them, that they might seem still " to lead, themselves as furiously followed the other; " and resorted again to his majesty with some new " expedient, as destructive as the former. So that " he was henceforward resolved to rely upon God " Almighty, and not so much to depend upon what " might possibly prevail upon the affections of those, " from whom, reasonably, he could not expect any " good, as upon such plain and avowed courses, " as, let the success be what it would, must, to all " judging men, appear to be prudently and honour- " ably to be relied on: and therefore he positively " refused to make the least alteration in his answer." And so the messengers departed, leaving the court and country worse affected than they found it; and branding some particular persons, whom they found less inclined to be ruled by their professions and promises, " as the authors of a civil war:" and making them as odious as they could, wherever they came.

And sure, from that time, the earl of Holland was more transported from his natural temper and gentleness of disposition, into passion and animosity against the king and his ministers; and, having been nothing pleased with his own condition at London, finding the earl of Essex (whom he did not secretly love, and indeed contemned) to draw all men's eyes towards him, and to have the greatest interest in their hearts, he had seriously intended, under colour of this message to the king, to discover if there were any sparks yet left in his royal breast, which might be kindled into affection, or acceptation of his service; and hoped, if he could get any credit, to redeem his former trespasses: but

when he found his majesty not only cold towards him, but easily enough discerned, by his reception, that all former inclinations were dead, and more than ordinary prejudices grown up towards him in their places, and that his advices were rejected, he returned with rancour equal to the most furious he went to; and heartily joined and concurred towards the suppressing that power, in the administration whereof he was not like to bear any part.

His majesty having, by his answer, obliged himself not to make any forcible attempt upon Hull till the 27th of July, by which time he might reasonably expect an answer to his propositions, in the mean time resolved to make some short progress into the neighbour counties; and accordingly, the same day the messengers departed, the king went to Doncaster; and the next day to Nottingham; and so to Leicester; where he heard the earl of Stamford, and some other parliament men, were executing the ordinance of the militia: but, before his majesty came thither, they removed themselves to Northampton; a town so true to them, as, if they had been pursued, would have shut their gates against the king himself, as Hull had done.

At Leicester the king was received with great expressions of duty and loyalty, by the appearance of the trained bands, and full acclamations of the people; yet there were two accidents that happened there, which, if they be at all remembered, will manifest, that if the king were loved there as he ought to be, that the parliament was more feared than he. It happened to be at the time of the general assizes, and justice Reeve (a man of a good reputation for learning and integrity; and who, in

good times, would have been a good judge) sat there as judge; and Mr. Henry Hastings, younger son to the earl of Huntingdon, was purposely made high sheriff, to contain the county within the limits of their duty by the power of that office, as well as by the interest and relation of his family. The earl of Stamford, and his assistants, had departed the town but few hours before his majesty's entrance; and had left their magazine, which was indeed the magazine of the county, in a little storehouse at the end of the town, guarded by some inferior officers, whom they had brought down to train and exercise the militia, and other zealous and devoted men of the county, in all to the number of about twenty-five, who had barricadoed the door of the house; and professed "to keep it against all demanders;" having provisions within it of all sorts. The king was very unwilling (coming in so peaceable a manner, at so peaceable a time) to take any notice of it. On the other hand, it was an act of too great insolence to be suffered; and, upon the matter, to leave a garrison of the rebels in possession of the town; and therefore he sent word to the judge, "that if he took not some legal way to remove "such a force so near his majesty, his majesty "would do it in an extraordinary course;" which, upon the sudden, would have puzzled him to have done; having neither soldier, cannon, or powder to effect it; the want of which as much troubled the sheriff. In the end, the gentlemen of the country, who had not yet otherwise declared themselves on either side, than by waiting on his majesty, finding that the king would not go from the town till that nuisance was removed; and that it

might bring inconveniences, charge, and mischief to the county of a high nature; so prevailed, that, as his majesty was contented to take no notice of it, so they within the house, in the night, upon assurance of safety and liberty to go whither they would, removed and left the house; and so that matter was quieted.

The other [accident] was, or was like to have proved, more ridiculous: Some of the king's servants, hearing that the earl of Stamford, and the other militia men, were newly gone out of the town, had of themselves, coming thither before the king, galloped after them; intending to have apprehended them, and brought them before the king; and, though the other were too fleet for them, had, in the way, overtaken Dr. Bastwick, a man well known, who had been a principal officer with them at Leicester, and fled at the same time, but could not keep pace with his commanders: him they brought to the town, where, by the sheriff, he was committed to prison; having confessed enough treason, and justifying it, as would have justly hanged any subject. The king thought once to have had him indicted then at the assizes, upon the plain statute of 25 Edw. III. But the judge besought his majesty not to put a matter of so great moment, upon which the power of the two houses of parliament, and a parliament sitting, must be determined, before one single judge, whose reputation was not enough to bear so great a burden: however, he declared his own opinion fully to his majesty, "that it was treason; which, he "believed, all the other judges must acknowledge; "and, being convened together by his majesty to

" that purpose, he thought a joint declaration and " resolution of all together might be of great use " to the king; whereas the publishing of his par- " ticular opinion could only destroy himself, and " nothing advance his majesty's service: besides, " he had no reason to be so confident of the coun- " try, as to conclude, that a jury, then suddenly " summoned, would have courage to find the bill; " and then their not doing it, if it were attempted, " would prove a greater countenance to the ordi- " nance, than the vote of the two houses had yet " given it." This last reason gave his majesty greater satisfaction; so that he was contented that the fellow should be kept in prison, and the trial be deferred, till he could conveniently summon more judges to be present.

His majesty was no sooner persuaded to be content that this prosecution might be suspended, but the close agents for the parliament's service, who were not yet discovered, but appeared very entire to the king, so dexterously carried themselves, that they prevailed with those gentlemen of the country, whose zeal to his majesty was most eminent and unquestionable, and even with the judge himself, " to wish, that his majesty would freely " and graciously discharge the doctor of his im- " prisonment; or give the judge leave to do so " upon a habeas corpus;" (which he was advised to require:) " and that it would be such an act of " mercy and singular justice, that would not only " work upon the people of that county to his " majesty's advantage, but must have a great influ- " ence upon the whole kingdom, and even upon " the parliament itself." And with this strange

desire the good judge, and those principal gentlemen, confidently came to the king, the night before he intended to return northward. His majesty told them, "he would think of it till the next "morning." And, in the mean time, concluding by what he heard, that though he should refuse to discharge him, or to consent that he should be discharged, his restraint would not be long in that place after his departure, the people already resorting to him with great license, and the doctor, according to his nature, talking seditiously and loudly, he directed "a messenger of the chamber "very early, with such assistance as the sheriff "should give him, to carry him away to Notting-"ham; and, by the help of that sheriff, to the "gaol at York:" which was executed accordingly with expedition and secrecy; if either of which had been absent, it is certain the common people had rescued him; which, of how trivial a moment soever it shall be thought, I could not but mention as an instance of the spirit and temper of that time, and the great disadvantage the king was upon, that so many very good men thought fit, at a time, when very many hundreds of persons of honour and quality were imprisoned with all strictness and severity by the parliament, upon the bare suspicion that they meant to go to the king, or that they wished well to him, or for not submitting to some illegal order or command of theirs, that the king should discharge an infamous person, taken in an act of high treason, and who more frankly and avowedly professed sedition, than he did the science of which he pretended to be doctor.

The king, according to his appointment, returned

towards Hull, in expectation of an answer from the parliament; which came two days after the appointed day, but with no solemnity of messengers, or other ceremony, than inclosed to one of the secretaries to be presented to the king, in which they told him,

"That they could not, for the present, with the "discharge of the trust reposed in them for the "safety of the king and kingdom, yield to those "demands of his majesty. The reason why they "took into their custody the town of Hull, the "magazine, and navy; passed the ordinance of the "militia; and made preparation of arms; was for "security of religion, the safety of his majesty's "person, of the kingdom, and parliament; all which "they did see in evident and imminent danger; "from which when they should be secured, and "that the forces of the kingdom should not be "used to the destruction thereof, they should then "be ready to withdraw the garrison out of Hull, "to deliver the magazine and navy, and settle the "militia, by bill, in such a way as should be "honourable and safe for his majesty, most agree-"able to the duty of parliament, and effectual for "the good of the kingdom; as they had professed "in their late petition. And for adjourning the "parliament, they apprehended no reason for his "majesty to require it, nor security for themselves "to consent to it. And as for that reason which "his majesty was pleased to express, they doubted "not but the usual place would be as safe for his "royal person, as any other; considering the full "assurance they had of the loyalty and fidelity of "the city of London to his majesty; and the care

" which his parliament would ever have to prevent " any danger, which his majesty might justly ap- " prehend; besides the manifold conveniences to " be had there, beyond other parts of the kingdom. " And as for the laying down of arms; when the " causes which moved them to provide for the " defence of his majesty, the kingdom, and parlia- " ment, should be taken away, they should very " willingly and cheerfully forbear any further " preparations, and lay down their force already " raised."

Which replication, as they called it, to his majesty's answer, they ordered " to be printed, " and read in all churches and chapels within the " kingdom of England, and dominion of Wales."

And so the war was now denounced by their express words against his majesty, as it had been long before in their actions; and both parties seemed to give over all thoughts of further treaties and overtures; and each prepared to make himself considerable by the strength and power of such forces as they could draw together.

In London they intended nothing but the forming of their army, and such other things of power, as [were] in order thereunto. To that purpose, the bill for the payment of tonnage and poundage being expired on the first day of July, and they having sent another of the same nature to the king for his consent, for six months longer, his majesty, since he saw that, and all other money properly belonging to him, violently taken from him, and employed by them against him, refused to give his royal assent thereunto: whereupon, without the least hesitation, (albeit it had been enacted this

very parliament, " that whosoever should presume " to pay or receive that duty, after the expiration " of the act, before the same was regranted by his " majesty with the consent of the lords and commons, " should be in a præmunire;" which is the heaviest punishment inflicted by law, but the loss of life,) they appointed and ordered by the power of the two houses, (which they called an ordinance of parliament,) " that the same duty should be con- " tinued; and declared, that they would save all " persons concerned from any penalty or punish- " ment whatsoever:" by which, they now became possessed of the customs in their own right.

Towards such as any ways (though under the obligation of oaths or offices) opposed or discountenanced what they went about, they proceeded with the most extravagant severity that had been ever heard of; of which I shall only mention two instances; the first, of the lord mayor of London, sir Richard Gurney, a citizen of great wealth, reputation, and integrity; whom the lords had, upon the complaint of the house of commons, before their sending the last petition to the king, (of which his majesty gave them a touch in his answer,) committed to the tower of London; for causing the king's proclamation against the militia, by virtue of his majesty's writ to him directed, and according to the known duty of his place, to be publicly proclaimed. And shortly after, that they might have a man more compliant with their designs to govern the city, notwithstanding that he insisted upon his innocence, and made it appear that he was obliged by the laws of the land, the customs of the city, and the constitution of his office and his oath, to

do whatsoever he had done; he was by their lordships, in the presence of the commons, adjudged "to be put out of his office of lord mayor of London; "to be utterly incapable of bearing office in city "or kingdom, and incapable of all honour or dig- "nity; and to be imprisoned during the pleasure "of the two houses of parliament." And, upon this sentence, alderman Pennington, so often before mentioned, was, by the noise and clamour of the common people, against the customs and rules of election, made mayor, and accordingly installed; and the true, old, worthy mayor committed to the tower of London; where he hath with notable courage and constancy continued to this present.

The other instance I think fit to mention is that of judge Mallet; who, as is before remembered, was committed to the tower the last Lent, for having seen a petition prepared by the grand jury of Kent, for the countenance of the Book of Common Prayer, and against the imposition of the militia by ordinance without the royal assent. This judge (being, this summer circuit, again judge of assize for those counties) sitting at Maidstone upon the great assize, some members of the house of commons, under the style and title of a committee of parliament, came to the bench; and, producing some votes, and orders, and declarations of one or both houses, "required him, in the name of the "parliament, to cause those papers" (being on the behalf of the ordinance of the militia, and against the commission of array) "to be read." He told them, "that he sat there by virtue of his majesty's "commissions; and that he was authorized to do "any thing comprised in those commissions; but

" he had no authority to do any thing else; and " therefore, there being no mention, in either of " his commissions, of those papers, or the publish- " ing any thing of that nature, he could not, nor " would do it;" and so (finding less respect and submission than they expected, both to their persons and their business, from the learned judge, and that the whole county, at least the prime gentlemen and the grand jury, which [represented] the county, contemned both much more) this committee returned to the house with great exclamations against Mr. Justice Mallet, " as the fomenter " and protector of a malignant faction against the " parliament." And, upon this charge, a troop of horse was sent to attend an officer; who came with a warrant from the houses, or some committee, (whereas justice Mallet, being an assistant of the house of peers, could not regularly be summoned by any other authority,) to Kingston in Surrey, where the judge was keeping the general assizes for that county; and, to the unspeakable dishonour of the public justice of the kingdom, and the scandal of all ministers or lovers of justice, in that violent manner took the judge from the bench, and carried him prisoner to Westminster; from whence, by the two houses, he was committed to the tower of London; where he remained for the space of above two years, without ever being charged with any particular crime, till he was redeemed by his majesty by the exchange of another, whose liberty they desired.

By these heightened acts of power and terror, they quickly demonstrated how unsecure it would be for any man, at least not to concur with them.

And, having a general, arms, money, and men enough at their devotion, they easily formed an army, publicly disposing such troops and regiments, as had been raised for Ireland, and, at one time, one hundred thousand pounds of that money, which, by act of parliament, had been paid for that purpose, towards the constituting that army, which was to be led against their lawful sovereign. So that it was very evident, they would be in such an equipage within few weeks, both with a train of artillery, horse, and foot, all taken, armed, furnished, and supplied out of his majesty's own magazines and stores, that they had not reason to fear any opposition. In the mean time, they declared, and published to the people, "that they "raised that army only for the defence of the par- "liament, the king's person, and the religion, "liberty, and laws of the kingdom, and of those, "who, for their sakes, and for those ends, had "obeyed their orders: that the king, by the insti- "gation of evil counsellors, had raised a great army "of papists; by which he intended to awe and "destroy the parliament; to introduce popery and "tyranny: of which intention, they said, his re- "quiring Hull; his sending out commissions of "array; his bespeaking arms and ammunition "beyond the seas; (there having been some "brought to him by the ship called the Provi- "dence;) his declaring sir John Hotham traitor; "and the putting out the earl of Northumberland "from being lord high admiral of England; his "removing the earl of Pembroke, Essex, Holland, "the lord Fielding, and sir Henry Vane, from their "several places and employments; were sufficient

" and ample evidences: and therefore they con-
" jured all men to assist their general, the earl of
" Essex." And, for their better and more secret transaction of all such counsels, as were necessary to be entered upon, or followed, they chose a committee, of some choice members of either house, to intend the great business of the kingdom with reference to the army; who had authority, without so much as communicating the matter to the house, to imprison persons, seize upon estates; and many other particulars, which the two houses, in full parliament, had not the least regular, legal, justifiable authority to do. And for the better encouragement of men to engage in the service, the lord Kimbolton, and the five members of the house of commons, formerly accused by his majesty of high treason, upon solemn debate, had several regiments conferred on them; and, by their example, many other members of both houses, some upon their lowness, and decayedness of their fortunes, others to get name and reputation to be in the number of reformers, (amongst whom they doubted not all places of honour, or offices of profit, would be bestowed,) most upon the confidence, that all would be ended without a blow, by the king's want of power to gather strength, desired and obtained command of horse or foot; their quality making amends for their want of experience, and their other defects; which were repaired by many good officers, both English and Scots; the late troubles having brought many of that tribe to London, and the reputation of the earl of Essex having drawn others, out of the Low Countries, to engage in that service. In the choice of whom, whilst they accused the king of a purpose

to bring in a foreign force, and of entertaining papists, they neither considered nation or religion; but entertained all strangers and foreigners, of what religion soever, who desired to run their fortune in war.

On the other side, preparations were not made with equal expedition and success by the king, towards a war: for, though he well understood and discerned that he had nothing else to trust to, he was to encounter strange difficulties to do that. He was so far from having money to levy or pay soldiers, that he was, at this very time, compelled, for very real want, to let fall all the tables kept by his officers of state in court, by which so many of all qualities subsisted; and the prince, and duke of York, eat with his majesty; which table only was kept. And whoever knows the constitution of a court, well knows what indispositions naturally flow from those declensions; and how ill those tempers bear any diminution of their own interests; and, being once indisposed themselves, how easily they infect others. And that which made the present want of money the more intolerable, there was no visible hope from whence supply could come, in any reasonable time: and that which was a greater want than money, which men rather feared than found, there were no arms; for, notwithstanding the fame of the great store of ammunition brought in by that ship, it consisted only in truth of cannon, powder, and bullet, with eight hundred muskets, which was all the king's magazine. So that the hastening of levies, which at that time was believed would not prove difficult, would be to little purpose, when they should con-

tinue unarmed: But that which troubled the king more than all these real incapacities of making war, was the temper and constitution of his own party; which was compounded, for the most part, in court, council, and country, of men drawn to him by the impulsion of conscience, and abhorring the unjust and irregular proceedings of the parliament; otherwise unexperienced in action, and unacquainted with the mysteries and necessary policy of government; severe observers of the law, and as scrupulous in all matters of relation, as the other pretended to be: all his majesty's ancient counsellors and servants, (except some few of lasting honour, whom we shall have occasion often to mention,) being to redeem former oversights, or for other unworthy designs, either publicly against him in London, or privately discrediting his interest and actions in his own court. These men still urged "the execution of the law; that what extravagances "soever the parliament practised, the king's obser- "vation of the law would, in the end, suppress "them all:" and, indeed, believed the raising a war to be so wicked a thing, that they thought it impossible the parliament should intend it, even when they knew what they were doing. However [they] concluded, "that he, that was for- "wardest in the preparing an army, would be first "odious to the people; by the affections of whom, "the other would be easily suppressed."

This was the general received doctrine; and though it appeared plainly to others, (of equal affection to the public peace,) how fatal those conclusions, in that sense in which they were urged, must prove to the whole kingdom; and how soon

the king must be irrecoverably lost, if he proceeded not more vigorously in his defence; yet even those men durst not, in any formed and public debate, declare themselves; or speak that plain English the state of affairs required; but satisfied themselves with speaking, what they thought necessary, to the king in private; so that by this means the king wanted those firm and solid foundations of counsel and foresight, as were most necessary for his condition: so that he could neither impart the true motives and grounds of any important action, nor discover the utmost of his designs. And so he still pretended (notwithstanding the greatest and avowed preparations of the enemy) to intend nothing of hostility, but in order to the reducing of Hull; the benefit of which, he hoped, would engage the trained bands of that great county, (which was the sole strength he yet drew thither,) till he could bring other forces thither, which might be fit for that, or any other design.

But there was another reason of his majesty's going to and staying at Beverley, than was understood; and, it may be, if it had been known, might have produced a better effect; which I think necessary to insert in this place. The lord Digby, whom we have mentioned before, in the first disorder, by which the king and queen were driven from London, to have left England, and to be after unreasonably accused by the house of commons of high treason, had remained from that time in Holland; and, hearing the king's condition at York to be so much improved beyond what he left it at Windsor, had, with some commands from the queen, arrived there very privately, and staid some days in a dis-

guise at York, revealing himself to very few friends, and speaking with the king in so secret a manner in the night, that no notice was taken of his being there; and, finding the king's affairs not in so good a posture as he expected, and conceiving it yet not fit for him to appear, resolved to return again to the queen, and to hasten that provision of arms and ammunition, without which it was not possible for the king to resist any violence that threatened him; and so, in the same bark which brought him over, he went again to sea for Holland, with Wilmot, Ashburnham, Pollard, and Berkley; who purposely removed themselves from court, upon the clamour of the parliament, till the king was ready to use their service. They were not many hours at sea, when they met the Providence, (which we mentioned before,) with the ammunition, which was only wanted; and, well knowing her, they agreed, "that Wilmot, Pollard, "Berkley, should return with the ammunition to "the king; and Digby, and col. Ashburnham "should pursue their former intentions for Hol-"land." But their parleys continued so long, that the parliament ships, who had watched and chased the Providence, came up to them, and though the ship escaped, and run on shore, as was before mentioned, yet the fly-boat, in which the lord Digby was, could not so well get away; but was taken by them, and carried in with so much the more choler and triumph into Hull, that they had been disappointed of their greater prize. Col. Ashburnham, though he was in great umbrage with the parliament, and one of those delinquents, whom they reproached the king with, was so well known

to sir John Hotham, with whom he stood in a good degree of familiarity, that he could not dissemble or conceal himself; but the lord Digby, being in so real a disguise, that his nearest friends would not easily have known him, pretended to be a Frenchman, whose language he spoke excellently; and seemed to be so sea-sick, that he kept himself in the hole of the bark, till they came to Hull; and, in that time, disposed of such papers as were not fit to be perused; and when he came on shore, so well counterfeited sickness, and want of health, that he easily procured himself to be sent, under a guard, to some obscure corner for repose; whilst col. Ashburnham, who was the only prisoner they thought worth the looking after, was carefully carried to the governor; who received him with as much civility as he could reasonably expect.

The lord Digby, being by himself, quickly considered the desperateness of his condition: "that "it would not be possible to conceal himself long, "being so well known to many who were in the "Providence, and the garrison quickly knowing "whatsoever was spoken of in the country; that "he was, how unjustly or unreasonably soever, "the most odious man of the kingdom to the par- "liament; into whose hands if he should then "come, his life would be, at least, in apparent "hazard." And how to get himself out of that labyrinth was very difficult, since sir John Hotham was so far from any inclination of kindness towards him, as he had to col. Ashburnham, that he was in the number of his most notorious enemies. However, in this eminent extremity, (as he is

a man of the greatest presentness of mind, and the least unappalled upon danger, that I have known,) he resolved not to give himself over; and found means to make one of his guard, in broken English, which might well have become any Frenchman, understand, "that he desired to speak privately "with the governor; and that he would discover "some secrets of the king's and queen's to him, "that would highly advance the service of the "parliament." The fellow made haste to let the governor know these good tidings; who understanding French well, as speedily sent for the Frenchman; who was brought before him in the presence of much company, and, without any disorder, gave such an account of himself, as they understood him to have seen much of the French service, (of which he spoke very fluently,) and to have come over recommended to the king for some command, if he should have occasion to use soldiers; as, he said, people abroad conceived him likely to have. After he had entertained the company with such discourse, there being present some gentlemen, who came lately out of France, and so being the more curious to administer questions, he applied himself to the governor; and told him, "that if he might be admitted to privacy with "him, he would discover somewhat to him, which "he would not repent to have known." The governor, who was a man apt enough to fear his own safety, but more apprehensive of the jealousies which would attend him, (for his eldest son, and some others, were more absolutely confided in by the parliament than himself, and were in truth but spies over him,) would not venture himself in

another room; but drew him to a great window at a convenient distance from the company, and wished him "to say what he thought fit." The lord Digby, finding he could not obtain more privacy, asked him, in English, "whether he knew "him?" The other, appalled, told him, "No." "Then," said he, "I shall try whether I know sir "John Hotham; and whether he be, in truth, the "same man of honour I have always taken him to "be:" and, thereupon, told him who he was; and "that he hoped he was too much a gentleman to "deliver him up a sacrifice to their rage and fury, "who, he well knew, were his implacable enemies." The other, being surprised and astonished, and fearing that the by-standers would discover him too, (for, being now told who he was, he wondered he found it not out himself,) he desired him "to "say no more for the present; that he should not "be sorry for the trust he reposed in him, and "should find him the same man he had thought "him: that he would find some time, as soon as "conveniently he might, to have more confer-"ence with him. In the mean time, that he should "content himself with the ill accommodation "he had, the amendment whereof would beget "suspicion: and so he called the guard instantly "to carry him away, and to have a very strict eye "upon him;" and, turning to the company, and being conscious to himself of the trouble and disorder in his countenance, told them, "that the "Frenchman was a shrewd fellow, and understood "more of the queen's counsels and designs, than "a man would suspect: that he had told him that "which the parliament would be glad to know;

" to whom presently he would make a despatch, " though he had not yet so clear informations, as, " he presumed, he should have after two or three " days:" and so departed to his chamber.

It was a wonderful influence, that this noble person's stars (which used to lead him into and out of the greatest perplexities and dangers, throughout the whole course of his life) had upon this whole affair. Hotham was, by his nature and education, a rough and a rude man; of great covetousness, of great pride, and great ambition; without any bowels of good nature, or the least sense or touch of generosity; his parts were not quick and sharp, but composed, and he judged well; he was a man of craft, and more like to deceive, than to be cozened: yet, after all this, this young nobleman, known and abhorred by him, for his admirable faculty of dissimulation, had so far prevailed, and imposed upon his spirit, that he resolved to practise that virtue, which the other had imputed to him; and which he was absolutely without; and not to suffer him to fall into the hands of his enemies. He sent for him, the next day, and at an hour when he was more vacant from attendants and observers; and, at first, told him his resolution; " that, since he had so " frankly put himself into his hands, he would not " deceive his trust;" and wished him " to consider, " in what way, and by what colour, he should so " set him at liberty, that he might, without any " other danger, arrive at the place where he would " be. For," he said, " he would not trust any per- " son living with the secret, and least of all his " son;" whom he mentioned with all the bitterness imaginable, " as a man of an ill nature, and furiously

" addicted to the worst designs the parliament had, " or could have; and one that was more depended " upon by them than himself, and sent thither only " as a spy upon him." And from hence he entered upon the discourse " of the times, and mischief that " was like to befall the whole kingdom, from this " difference between the king and the parliament." Then lamented his own fate, " that, being a man of " very different principles from those who drove " things to this extremity, and of entire affection " and duty to the king, he should now be looked " upon as the chief ground and cause of the civil " war which was to ensue, by his not opening the " ports, when the king would have entered into the " town:" of which business, and of all the circumstances attending it, he spake at large; and avowed, " that the information sent him of the king's pur- " pose presently to hang him, was the true cause of " his having proceeded in that manner."

The lord Digby, who knew well enough how to cultivate every period of such a discourse, and how to work upon those passions which were most predominant in him, joined with him in the sense of the calamities, which were like to befall the nation; which he bewailed pathetically; and, " that it should " be in the power of a handful of ill men, corrupted " in their affections to the king, and against mon- " archy itself, [to be] able to involve him, and " many others of his clear intentions, in their dark " counsels, and to engage them to prosecute ends " which they abhorred, and which must determine " in the ruin of all the undertakers. For, he told " him, that the king, in a short time, would reduce " all his enemies: that the hearts of the people were

" already, in all places, aliened from them; and that " the fleet was so much at the king's disposal, that, " as soon as they should receive his orders, they " would appear in any place he appointed: that all " the princes in Christendom were concerned in " the quarrel, and would engage in it, as soon as " they should be invited to it: and that the prince " of Orange was resolved to come over in the head " of his army, and would take Hull in three days." All which ought, reasonably, to have been true in the practick, though it had very little ground in the speculation. And when he had, by degrees, amused and terrified him with this discourse, he enlarged upon " the honour and glory that man would have, " who could be so blessed, as to prevent this terri- " ble mass of confusion, that was in view: that " king and people would join in rewarding him with " honours and preferments of all kind; and that his " name would be derived to posterity, as the pre- " server of his country." He told him, " He was " that man, that could do all this; that, by deliver- " ing up Hull to the king, he might extinguish the " war; and that immediately a peace would be esta- " blished throughout the kingdom: that the world " believed, that he had some credit both with the " king and queen; that he would employ it all in " his service; and if he would give him this rise " to begin upon, he should find, that he would be " much more solicitous for his greatness, and a full " recompence for his merit, than he was now for " his own safety." All these advertisements and reflections were the subject of more than one dis- course; for sir John Hotham could not bear the variety and burden of all those thoughts together;

but within two days all things were adjusted between them. Hotham said, "it would not become "him, after such a refusal, to put the town into the "king's hands; nor could he undertake (if he re- "solved) to effect it; the town itself being in no "degree affected to his service; and the trained "bands, of which the garrison wholly consisted, "were under officers, upon whom he could not de- "pend. But," he said, "if the king would come "before the town, though but with one regiment, "and plant his cannon against it, and make but "one shot, he should think he had discharged his "trust to the parliament, as far as he ought to do; "and that he would immediately then deliver up "the town; which he made no doubt but that he "should be then able to do." And, on this errand, he was contented the lord Digby should go to the king, and be conducted out of the town beyond the limits of danger; the governor having told those officers he trusted most, that "he would send the "Frenchman to York; who, he was well assured, "would return to him again." And he gave him a note to a widow, who lived in the city, at whose house he might lodge, and by whose hands he might transmit any letter to him.

When he came to York, and after he had spoke with his friend Mr. Hyde and the other two, who were always together, and the king had notice of his arrival, it was resolved, that he should appear in his own likeness, and wait upon the king in public, that it might be believed, that he had transported himself from Holland in the ship that had brought the ammunition; which was hardly yet come to York, it being now about the time that

Mr. Villiers and sir John Pennington had been sent away, and before the news came of their ill success. This was the cause of the sudden march to Hull, before there was a soldier levied to make an assault, or maintain a siege; which was so much wondered at then, and so much censured afterwards. For as soon as his majesty received this assurance, and, besides the confidence of the lord Digby, [which he had] so much reason to depend upon, by the treatment he had received, he declared "he would, "upon such a day, go to Beverley," a place within four miles of Hull; and appointed three or four regiments of the country, under the command of such gentlemen whose affection was unquestionable, to march thither, as a guard to his person; and likewise sent a little train of artillery, which might be ready for the summons. And when his majesty was ready with his equipage for his march, the lord Digby returned again in his old mode to Hull, to make sure that all things there might correspond with the former obligation. As soon as the king, and the whole court, (for none remained at York,) came to Beverley, (where they were well accommodated, which kept them from being quickly weary,) and the trained bands were likewise come thither, and the general, the earl of Lindsey, first took possession of his office; a little troubled, and out of countenance, that he should appear the general without an army; and be engaged in an enterprise, which he could not imagine would succeed; his majesty wished him to send out some officers, of which there was a good store, to take a view of the town, and of such advantage ground, within distance, upon which he might raise a battery; as if he meant

on a sudden to assault the place; which appeared no unreasonable design, if there were a good party in the town to depend upon. And yet the general had no opinion, that his army of trained bands would frankly expose themselves to such an attack. Besides a great number of officers, and persons of quality, who were all well horsed, and had many servants as well provided, the king had his troop of guards so constituted as hath been said before; and there were few horse in Hull, without officers who understood that kind of service. So that it was no hard matter to take a very full view of the town, by riding to the very ports, and about the walls; nor, at first appearance, was there any show of hostility from the town upon their nearest approaches to it; but after they had made that visit two or three days together, they observed that the walls were better manned, and that there was every day an increase of labourers repairing the works; and then they begun to shoot, when any went within distance of the works.

Sir John Hotham had tried some of his officers, in whose particular affection he had most confidence, how far they were like to be governed by him; and found them of a temper not to be relied upon. His son was grown jealous of some design, and was caballing with those who were most notorious for their disaffection to the government; and some new officers were sent down by the parliament, to assist in the defence of the town, which, they thought, might probably be attempted; and supplies of men had been taken in from the ships, and had been sent thither from Boston, a neighbour town of eminent disloyalty. So that, when the

lord Digby returned thither, he found a great damp upon the spirit of the governor, and a sadness of mind, that he had proceeded so far; of which he made all the haste he could to advertise the king; but his letters must first be sent to York before they could come to Beverley; and, when they were received, they contained still somewhat of hope, "that "he might restore him to his former courage, and "confirm his resolution:" so that the king seemed to defer any attempt, upon the hopes of the earl of Holland's message [before mentioned], and, in the end, he was compelled to give over the design, all hope from the governor growing desperate; whether from his want of courage, or want of power to execute what he desired, remains still uncertain. When he gave over further thought of it, he dismissed both the lord Digby, and colonel Ashburnham, whom he had likewise detained till then, as a man of use in the execution of the design, with many professions of duty to the king; and as the concealing those two persons, and afterwards releasing them, immediately increased the jealousy of the parliament against him, so it was the principal cause, afterwards, of the loss of his head.

The king, after three weeks' or a month's stay at Beverley, dismissed the trained bands, weary of their service, and returned with his court to York, in so much less credit than when he came from thence, as the entering into a war without power, or preparation to prosecute it, was like to produce. And the inconvenience was the greater, because the principal persons of quality, of court or country, and the officers, had the less reverence for the king's conduct, by seeing such an action entered upon

with so little reason, and prosecuted so perfunctorily: all which reproaches his majesty thought fitter to bear, than to discover the motives of his journey; which were then known to few, nor, to this day, have been published.

When the king returned to York, exceedingly troubled at the late march he had made, and all men expressing great impatience to be in action, very many persons of honour and quality, having attended long at court, did believe they might be more useful to his majesty's service in their own countries, in restraining the disaffected from any seditious attempts, and disposing the people in general to be constant in their loyalty, an accident fell out, that made it absolutely necessary for the king to declare the war, and to enter upon it, before he was in any degree ripe for action; which was, that Portsmouth had declared for the king, and refused to submit to the parliament, which had thereupon sent an army, under the command of sir William Waller, to reduce it. The relating how this came to pass, requires a large discourse, which will administer much variety, not without somewhat of pleasure and wonder, from the temper and spirit of the person who conducted that action; if it can be said to be conducted without any conduct.

We have remembered before, in the last year, the discourse of the bringing up the army to London, to awe the parliament, and the unspeakable dishonour and damage the king sustained by that discourse, how groundless soever it was; all which was imputed to colonel Goring, who, by that means, grew into great reputation with the parliament, as a man so irrecoverably lost at court, that he would join

with them in the most desperate designs; yet he carried himself with so great dexterity, that, within few months, he wrought upon the king and queen to believe, that he so much repented that fault, that he would redeem it by any service; and to trust him to that degree, that the queen once resolved, when the tumults drove their majesties first from London, for her security, to put herself into Portsmouth, which was under his government; whilst his majesty betook himself to the northern parts; which design was no sooner over, (if not before,) than he again intimated so much of it to the lord Kimbolton, and that party, that they took all the trust he had from court, to proceed from the confidence their majesties had of his father's interest in him; whose affection and zeal to their service was ever most indubitable: but assured themselves he was their own, even against his own father. So that he carried the matter so, that, at the same time, he received 3000*l.* from the queen, (which she raised by the sale of her plate and some jewels,) to fortify, and victual, and reinforce his garrison, against the time it should be necessary to declare for the king; and a good supply from the parliament, for the payment of the garrison, that it might be kept the better devoted to them, and to their service. All which he performed with that admirable dissimulation, and rare confidence, that, when the house of commons was informed by a member, whose zeal and affection to them was as much valued as any man's, "that all his correspondence in the county [was] with the most "malignant persons; that of those, many frequently "resorted to, and continued with him in the garri-

" son; that he was fortifying, and raising batteries " towards the land; and that in his discourses, espe- " cially in the seasons of his good fellowship, he " used to utter threats against the parliament, and " sharp censures of their proceedings;" and upon such informations (the author whereof was well known to them, and of great reputation; and lived so near Portsmouth, that he could not be mistaken in the matter of fact) the house sent for him, most thinking he would refuse to come; colonel Goring came, upon the summons, with that undauntedness, that all clouds of distrust immediately vanished, insomuch as no man presumed to whisper the least jealousy of him; which he observing, he came to the house of commons, of which he was a member; and, having sat a day or two patiently, as if he expected some charge, in the end he stood up, with a countenance full of modesty, and yet not without a mixture of anger, (as he could help himself with all the insinuations of doubt, or fear, or shame, or simplicity in his face, that might gain belief, to a greater degree than I ever saw any man; and could seem the most confounded when he was best prepared, and the most out of countenance when he was best resolved, and to want words, and the habit of speaking, when they flowed from no man with greater power,) and told them, " that he had " been sent for by them, upon some information " given against him, and that, though he believed, " the charge being so ridiculous, they might have " received, by their own particular inquiry, satisfac- " tion; yet the discourses that had been used, and " his being sent for in that manner, had begat some " prejudice to him in his reputation; which if he

" could not preserve, he should be less able to do " them service; and therefore desired, that he " might have leave (though very unskilful, and " unfit to speak, in so wise and judicious an assem- " bly) to present to them the state and condition of " that place under his command; and then he " doubted not but to give them full satisfaction in " those particulars, which possibly had made some " impression in them to his disadvantage: that he " was far from taking it ill from those, who had " given any information against him; for, what he " had done, and must do, might give some um- " brage to well affected persons, who knew not the " grounds and reasons, that induced him so to do; " but that if any such person would, at any time, " resort to him, he would clearly inform them of " whatever motives he had; and would be glad of " their advice and assistance for the better doing " thereof." Then he took notice of every particular that had been publicly said against him, or privately whispered, and gave such plausible answers to the whole, intermingling sharp taunts, and scorns, to what had been said of him, with pretty application of himself, and flattery to the men that spake it: concluding, " that they well knew in what es- " teem he stood with others: so that if, by his ill " carriage, he should forfeit the good opinion of " that house, upon which he only depended, and to " whose service he entirely devoted himself, he were " madder than his friends took him to be, and must " be as unpitied in any misery, that could befall " him, as his enemies would be glad to see him." With which, as innocently and unaffectedly uttered, as can be imagined, he got so general an applause

from the whole house, that, not without some little apology for troubling him, "they desired him again "to repair to his government, and to finish those "works, which were necessary for the safety of the "place;" and gratified him with consenting to all the propositions he made in behalf of his garrison, and paid him a good sum of money for their arrears; with which, and being privately assured (which was indeed resolved on) that he should be lieutenant-general of their horse in their new army, when it should be formed, he departed again to Portsmouth; in the mean time assuring his majesty, by those who were trusted between them, "that he "would be speedily in a posture to make any such "declaration for his service, as he should be re-"quired;" which he was forced to do sooner than he was provided for, though not sooner than he had reason to expect.

When the levies for the parliament army were in good forwardness, and he had received his commission for lieutenant-general of the horse, he wrote to the lord Kimbolton, who was his most bosom friend, and a man very powerful, "that he might not be "called to give his attendance upon the army, till "it was ready to march; because there were so "many things to be done, and perfected, for the "safety of that important place, that he was desir-"ous to be present himself at the work as long as "was possible. In the mean time, he had given "directions to his agent in London, to prepare all "things for his equipage; so that he would be "ready to appear, at any rendezvous, upon a day's "warning." Though the earl of Essex did much desire his company and assistance in the council of

war, and preparing the articles, and forming the discipline for the army, he having been more lately versed in the order and rule of marches, and the provisions necessary or convenient thereunto, than any man then in their service, and of greater command than any man but the general; yet the lord Kimbolton prevailed, that he might not be sent for, till things were riper for action. And, when that lord did afterwards write to him, "that it was time "he should come away," he sent such new and reasonable excuses, that they were not unsatisfied with his delay; till he had multiplied those excuses so long, that they begun to suspect; and they no sooner inclined to suspicion, but they met with abundant arguments to cherish it. His behaviour and course of life was very notorious to all the neighbours, nor was he at all reserved in his mirth, and public discourses, to conceal his opinion of the parliament, and their proceedings. So that, at last, the lord Kimbolton writ plainly to him, "that he "could no longer excuse his absence from the "army, where he was much wanted; and that, if "he did not come to London by such a short day, "as he named, he found his integrity would be "doubted; and that many things were laid to his "charge, of which he doubted not his innocence; "and therefore conjured him, immediately, to be "at Westminster." It being now to be no longer deferred, or put off, he writ a jolly letter to that lord, "that, the truth was, his council advised him, "that the parliament did many things which were "illegal; and that he might incur much danger by "obeying all their orders; that he had received "the command of that garrison from the king;

" and that he durst not be absent from it, without " his leave:" and concluded with some good counsel to the lord.

This declaration [of the governor] of a place, which had the reputation of being the only place of strength in England, and situated upon the sea, put them into many apprehensions; and they lost no time in endeavouring to reduce [it]; but, upon the first understanding his resolution, sir William Waller was sent, with a good part of the army, so to block up the place, that neither men or provision might be able to get in; and some ships were sent from the fleet, to prevent any relief by sea: and these advertisements came to the king, as soon as he returned to York.

It gave no small reputation to his majesty's affairs, when there was so great a damp upon the spirits of men, from the misadventures at Beverley, that so notable a place as Portsmouth had declared for him, in the very beginning of the war; and that so good an officer as Goring was returned to his duty, and in the possession of the town: and the king, who was not surprised with the matter, knowing well the resolution of the colonel, made no doubt, but that he was very well supplied with all things, as he might well have been, to have given the rebels work for three or four months, at the least. However, he forthwith published a declaration, that had been long ready, in which he recapitulated all the insolent and rebellious actions which the two houses had committed against him: and declared them " to be guilty; and forbad all his " subjects to yield any obedience to them:" and, at the same time, published his proclamation; by

which he "required all men, who could bear arms, "to repair to him at Nottingham, by the twenty-"fifth of August following; on which day he would "set up his royal standard there, which all good "subjects were obliged to attend." And at the same time, he sent the marquis of Hertford to raise forces in the west, or, at least, to restrain those parts (where his interest and reputation was greater than any man's) within the limits of their duty to the king, and from being corrupted or perverted by the parliament; and with him went the lord Seymour, his brother; the lord Pawlet, Hopton, Stawel, Coventry, Berkeley, Windham, and some other gentlemen, of the prime quality, and interest in the western parts; and who were like to give as good examples in their persons, and to be followed by as many men, as any such number of gentlemen in England could be. And from this party, enlivened by the power and reputation of the marquis, the king was in hopes, that Portsmouth would be shortly relieved, and made the head quarter to a good army. And when all this was done, he did all that was possible to be done, without money, to hasten his levies of horse and foot, and to prepare a light train of artillery, that he might appear at Nottingham, at the day when the standard was to be set up, with such a body of men, as might be, at the least, a competent guard to his person.

Many were then of opinion, "that it had been "more for his majesty's benefit and service, if the "standard had been appointed to be set up at "York; and so that the king had stayed there, "without moving further south, until he could have "marched in the head of an army, and not to de-

" pend upon gathering an army up in his march. " All the northern counties were, at present, most " at his devotion; and so it would be most easy to " raise men there: Newcastle was the only port in " his obedience, and whither he had appointed his " supplies of arms and ammunition to be sent; of " which he had so present need, that all his maga- " zine, which was brought in the Providence, was " already distributed to those few gentlemen, who " had received commissions, and were most like " speedily to raise their regiments; and it would " be a very long, and might prove a very danger- " ous passage to get the supplies, which were daily " expected, to be brought with security from New- " castle, when the king should be advanced so " many days' journey beyond York." All which were very important considerations, and ought to have prevailed; but the king's inclinations to be nearer London, and the expectation he had of great effects from Portsmouth, and the west, disposed him to a willingness to prefer Nottingham; but that which determined the point, was an apparent and manifest aversion in the Yorkshire gentlemen, whose affections were least suspected, that his majesty should continue, and remain at York; which, they said, the people apprehended, " would inevi- " tably make that country the seat of the war:" unskilfully imagining, that the war would be no where, but where the king's army was; and therefore they facilitated all things, which might contribute to his remove from thence; undertook to provide convoys for any arms and ammunition from Newcastle; to hasten the levies in their own country; and to borrow of the arms of some of

the trained bands; which was the best expedient, that could be found out, to arm the king's troops, and had its reverse in the murmurs it produced, and in leaving the best affected men, by being disarmed, at the mercy of their enemies; who carefully kept their weapons, that they might be ready to fight against the king. This caused the resolution to be taken for Nottingham, without enough weighing the objections, which, upon the entrance into great actions, cannot be too much deliberated, though, in the execution, they shall be best shut out. And it quickly appeared in those very men, who prevailed most in that council; for, when the time drew on, in which his majesty was to depart, and leave the country, then they remembered, "that the garrison of Hull would be left as a thorn "in their sides, where there were well formed and "active troops, which might march over the coun- "try without control, and come into York itself "without resistance; that there were many dis- "affected persons of quality and interest in the "country, who, as soon as the king should be "gone, would appear amongst their neighbours, "and find a concurrence from them in their worst "designs; and that there were some places, some "whole corporations, so notoriously disaffected, "especially in matters relating to the church, that "they wanted only conductors to carry them into "rebellion."

These, and the like reflections, made too late impressions upon them; and now, too much, they magnified this man's power, whom before they contemned; and doubted that man's affection, of which they were before secure; and made a thou-

sand propositions to the king this day, whereof they rejected the greatest part to-morrow; and, as the day approached nearer for the king's departure, their apprehensions and irresolutions increased. In the end, they were united in two requests to the king; that "he would commit the supreme com-"mand of the country, with reference to all mili-"tary affairs, to the earl of Cumberland; and qua-"lify him, with an ample commission, to that pur-"pose." The other, "that his majesty would "command sir Thomas Glemham to remain with "them, to govern and command such forces, as "the earl of Cumberland should find necessary for "their defence." And this provision being made by the king, they obliged themselves to concur in making any preparations, and forming any forces the earl should require. And his majesty, as willingly, gratified them in both their desires. The earl of Cumberland was a man of great honour and integrity, who had all his estate in that country, and had lived most amongst them, with very much acceptation and affection from the gentlemen, and the common people: but he was not, in any degree, active, or of a martial temper; and rather a man more like not to have any enemies, than to oblige any to be firmly and resolutely his friends, or to pursue his interest: the great fortune of the family was divided, and the greater part of it carried away by an heir female; and his father had so wasted the remainder, that the earl could not live with that lustre, nor draw so great a dependence upon him, as his ancestors had done. In a word, he was a man of honour, and popular enough in peace, but not endued with those parts which were neces-

sary for such a season. Sir Thomas Glemham was a gentleman of a noble extraction, and a fair fortune, though he had much impaired it; he had spent many years, in armies, beyond the seas; and he had been an officer of very good esteem in the king's armies, and of courage and integrity unquestionable; but he was not of so stirring and active a nature, as to be able to infuse fire enough into the phlegmatic constitutions of that people, who did rather wish to be spectators of the war, than parties in it; and believed, if they did not provoke the other party, they might all live quietly together; until sir John Hotham, by his excursions and depredations out of Hull, and their seditious neighbours, by their insurrections, awakened them out of that pleasant dream. And then the greatest part of the gentry of that populous country, and very many of the common people, did behave themselves with signal fidelity and courage in the king's service: of all which particulars, which deserve well to be remembered, and transmitted to posterity, there will be occasion to make mention in the following discourse.

Yet I cannot leave York without the mention of one particular; which, in truth, is so lively an instance of the spirit and temper of that time, and was a sad presage of all the misfortunes which followed. There were very few gentlemen, or men of any quality, in that large county, who were actively or factiously disaffected to his majesty; and of those the lord Fairfax, and his son, sir Thomas Fairfax, were the chief; who were governed by two or three of inferior quality, more conversant with the people; who were as well known as they.

All these were in the county, at their houses, within few miles of York; and the king resolved, at his going away, to have taken them all prisoners, and to have put them in safe custody; by which, it was very probable, those mischiefs, that shortly after broke out, might have been prevented. But the gentlemen of the county, who were met together to consult for their own security, hearing of this design, besought his majesty "not to do it;" alleging, "that he would, thereby, leave them in a "worse condition, by an act so ungracious and "unpopular; and that the disaffected would be so "far from being weakened, that their party would "be increased thereby:" many really believing, that neither father or son were transported with over-vehement inclinations to the parliament; but would willingly sit still, without being active on either side; which, no doubt, was a policy, that many of those, who wished well, desired and intended to be safe by. And so his majesty left York, taking with him only two or three of inferior rank, (whereof one Stapleton was one,) who were known to have been very active in stirring the people to sedition; and yet, upon some specious pretences, some very good men were persuaded, within few days, to procure the liberty and enlargement even of those from his majesty. So ticklish were those times, and so wary were all men to advise the king should do any thing, which, upon the strictest inquisition, might seem to swerve from the strict rule of the law; believing, unreasonably, that the softest and gentlest remedies might be most wholesomely applied to those rough and violent diseases.

The king came to Nottingham two or three days before the day he had appointed to set up the standard; having taken Lincoln in his way, and drawn some arms from the trained bands of that country with him to Nottingham; from whence, the next day, he went to take a view of his horse; whereof there were several troops well armed, and under good officers, to the number of seven or eight hundred men; with which, being informed, "that "there were some regiments of foot marching to-"wards Coventry, by the earl of Essex's orders," he made haste thither; making little doubt, but that he should be able to get thither before them, and so to possess himself of that city; and he did get thither the day before they came; but found not only the gates shut against him, but some of his servants shot and wounded from the walls: nor could all his messages and summons prevail with the mayor and magistrates, before there was any garrison there, to suffer the king to enter into the city. So great an interest and reputation the parliament had gotten over the affections of the people, whose hearts were alienated from any reverence to the government.

The king could not remedy the affront, but went that night to Stonely, the house then of sir Thomas Lee; where he was well received; and, the next day, his body of horse, having a clear view, upon an open campania, for five or six miles together, of the [enemy's] small body of foot, which consisted not of above twelve hundred men, with one troop of horse, which marched with them over that plain, retired before them, without giving them one charge; which was imputed to the lashty [ill con-

duct] of Wilmot, who commanded; and had a colder courage than many who were under him, and who were of opinion, that they might have easily defeated that body of foot: which would have been a very seasonable victory; would have put Coventry unquestionably into the king's hands, and sent him with a good omen to the setting up of his standard. Whereas, that unhappy retreat, which looked like a defeat, and the rebellious behaviour of Coventry, made his majesty's return to Nottingham very melancholy; and he returned thither the very day the standard was appointed to be set up.

According to the proclamation, upon the twenty-fifth day of August, the standard was erected, about six of the clock in the evening of a very stormy and tempestuous day. The king himself, with a small train, rode to the top of the castle-hill, Varney the knight-marshal, who was standardbearer, carrying the standard, which was then erected in that place, with little other ceremony than the sound of drums and trumpets: melancholy men observed many ill presages about that time. There was not one regiment of foot yet levied and brought thither; so that the trained bands, which the sheriff had drawn together, was all the strength the king had for his person, and the guard of the standard. There appeared no conflux of men in obedience to the proclamation; the arms and ammunition were not yet come from York, and a general sadness covered the whole town, and the king himself appeared more melancholic than he used to be. The standard itself was blown down, the same night it

had been set up, by a very strong and unruly wind, and could not be fixed again in a day or two, till the tempest was allayed. This was the melancholy state of the king's affairs, when the standard was set up.

THE END OF THE FIFTH BOOK.

THE

HISTORY

OF THE

REBELLION, &c.

BOOK VI.

WHEN the king set up his standard at Nottingham, which was the 25th of August, as is before remembered, he found the place much emptier than he thought the fame of his standard would have suffered it to be; and received intelligence the next day, that the rebels' army, for such now he had declared them, was horse, foot, and cannon, at Northampton; besides that great party which, in the end of the [fifth] book, we left at Coventry: whereas his few cannon and ammunition were still at York, being neither yet in an equipage to march, though sir John Heydon, his majesty's faithful lieutenant general of the ordnance, used all possible diligence to form and prepare it; neither were there foot enough levied to guard it: and at Nottingham, besides some few of the trained bands, which sir John Digby, the active sheriff of that county, drew into the old ruinous castle there, there were not of foot levied for the service yet

three hundred men. So that they who were not overmuch given to fear, finding very many places in that great river, which was looked upon as the only strength and security of the town, to be easily fordable, and nothing towards an army for defence but the standard set up, began sadly to apprehend the danger of the king's own person. Insomuch that sir Jacob Ashley, his sergeant-major-general of his intended army, told him, "that he could "not give any assurance against his majesty's "being taken out of his bed, if the rebels should "make a brisk attempt to that purpose." And it was evident, all the strength he had to depend upon was his horse, which were under the command of prince Rupert at Leicester, and were not at that time in number above eight hundred, few better armed than with swords; whilst the enemy had, within less than twenty miles of that place, double the number of horse excellently armed and appointed, and a body of five thousand foot well trained and disciplined; so that, no doubt, if they had advanced, they might at least have dispersed those few troops of the king's, and driven his majesty to a greater distance, and exposed him to notable hazards and inconveniences.

When men were almost confounded with this prospect, his majesty received intelligence, that Portsmouth was so straitly besieged by sea and land, that it would be reduced in very few days, except it were relieved. For the truth is, colonel Goring, though he had sufficient warning, and sufficient supplies of money to put that place into a posture, had relied too much upon probable and casual assistance, and neglected to do that himself, [which]

a vigilant officer would have done: and albeit his chief dependence was both for money and provisions from the Isle of Wight, yet he was careless to secure those small castles and blockhouses, which guarded the river; which revolting to the parliament as soon as he declared for the king, cut off all those unreasonable dependences; so that he had neither men enough to do ordinary duty, nor provisions enough for those few, for any considerable time. And at the same time with this of Portsmouth, arrived certain advertisements, that the marquis of Hertford, and all his forces in the west, from whom only the king hoped that Portsmouth should be relieved, was driven out of Somersetshire, where his power and interest was believed unquestionable, into Dorsetshire; and there besieged in Sherborne castle.

The marquis, after he left the king at Beverley, by ordinary journeys, and without making any long stay by the way, came to Bath, upon the very edge of Somersetshire, at the time when the general assizes were there held; where meeting all the considerable gentlemen of that great county, and finding them well affected to the king's service, except very few who were sufficiently known, he entered into consultation with them from whom he was to expect assistance, in what place he should most conveniently fix himself for the better disposing the affections of the people, and to raise a strength for the resistance of any attempt which the parliament might make, either against them, or to disturb the peace of the country by their ordinance of the militia, which was the first power

they were like to hear of. Some were of opinion, "that Bristol would be the fittest place, being a "great, rich, and populous city; of which being "once possessed, they should be easily able to give "the law to Somerset and Gloucestershire; and "could not receive any affront by a sudden or "tumultuary insurrection of the people." And if this advice had been followed, it would probably have proved very prosperous. But, on the contrary, it was objected, "that it was not evident, "that his lordship's reception into the city would "be such as was expected; Mr. Hollis being "lieutenant thereof, and having exercised the "militia there; and there being visibly many dis-"affected people in it, and some of eminent qua-"lity; and if he should attempt to go thither, and "be disappointed, it would break the whole design: "then that it was out of the county of Somerset, "and therefore that they could not [legally] draw "that people thither; besides, that it would look "like fear and suspicion of their own power, to put "themselves into a walled town, as if they feared "the power of the other party would be able to "oppress them. Whereas, besides Popham and "Horner, all the gentlemen of eminent quality and "fortune of Somerset were either present with the "marquis, or presumed not to be inclined to the "parliament." And therefore they proposed "that "Wells, being a pleasant city, in the heart and "near the centre of that county, might be "chosen for his lordship's residence." Which was accordingly agreed on, and thither the marquis and his train went, sending for the nearest trained

bands to appear before him; and presuming that in little time, by the industry of the gentlemen present, and his lordship's reputation, which was very great, the affections of the people would be so much wrought upon, and their understandings so well informed, that it would not be in the power of the parliament to pervert them, or to make ill impressions in them towards his majesty's service.

Whilst his lordship in this gentle way endeavoured to compose the fears and apprehensions of the people, and by doing all things in a peaceable way, and according to the rules of the known laws, to convince all men of the justice and integrity of his majesty's proceedings and royal intentions; the other party, according to their usual confidence and activity, wrought underhand to persuade the people that the marquis was come down to put the commission of array in execution, by which commission a great part of the estate of every farmer or substantial yeoman should be taken from them; alleging, that some lords had said, "that twenty "pounds by the year was enough for any peasant "to live by;" and so, taking advantage of the commission's being in Latin, translated it into what English they pleased; persuading the substantial yeomen and freeholders, that at least two parts of their estates would, by that commission, be taken from them; and the meaner and poorer sort of people, that they were to pay a tax for one day's labour in the week to the king; and that all should be, upon the matter, no better than slaves to the lords, and that there was no way to free and preserve themselves from this insupportable tyranny, than by adhering to the parliament, and

submitting to the ordinance for the militia; which was purposely prepared to enable them to resist these horrid invasions of their liberties.

It is not easily believed, how these gross infusions generally prevailed. For though the gentlemen of ancient families and estates in that county were, for the most part, well affected to the king, and easily discerned by what faction the parliament was governed; yet there were a people of an inferior degree, who, by good husbandry, clothing, and other thriving arts, had gotten very great fortunes; and, by degrees, getting themselves into the gentlemen's estates, were angry that they found not themselves in the same esteem and reputation with those whose estates they had; and therefore, with more industry than the other, studied all ways to make themselves considerable. These, from the beginning, were fast friends to the parliament; and many of them were now intrusted by them as deputy lieutenants in their new ordinance of the militia, and having found when the people were ripe, gathered them together, with a purpose on a sudden, before there should be any suspicion, to surround and surprise the marquis at Wells. For they had always this advantage of the king's party and his counsels, that their resolutions were no sooner published, than they were ready to be executed, there being an absolute implicit obedience in the inferior sort to those who were to command them; and their private agents, with admirable industry and secrecy, preparing all persons and things ready against a call. Whereas all the king's counsels were with great formality deliberated, before concluded: and then, with equal formality,

and precise caution of the law, executed; there being no other way to weigh down the prejudice that was contracted against the court, but by the most barefaced publishing all conclusions, and fitting them to that apparent justice and reason, that might prevail over the most ordinary understandings.

When the marquis was thus in the midst of an enemy that almost covered the whole kingdom, his whole strength was a troop of horse, raised by Mr. John Digby, son to the earl of Bristol, and another by sir Francis Hawley, (both which were levied in those parts to attend the king in the north,) and a troop of horse, and a small troop of dragoons, raised and armed by sir Ralph Hopton at his own charge; and about one hundred foot gathered up by lieutenant-colonel Henry Lunsford towards a regiment, which were likewise to have marched to the king. These, with the lord Pawlet, and the gentlemen of the country, which were about eight and twenty of the prime quality there, with their servants and retinue, made up the marquis's force. Then their proceedings were with that rare caution, that upon advertisement that the active ministers of that party had appointed a general meeting at a town within few miles of Wells, sir Ralph Hopton being advised with his small troop and some volunteer gentlemen to repair thither, and to disappoint that convention, and to take care that it might produce the least prejudice to the king's service; before he reached the place, those gentlemen who stayed behind (and by whose advice the marquis thought it necessary absolutely to govern himself, that they might see all possible

wariness was used in the entrance into a war, which being once entered into, he well knew must be carried on another way) sent him word, "that "he should forbear any hostile act, otherwise they "would disclaim whatsoever he should do." Otherwise the courage and resolution of those few were such, and the cowardice of the undisciplined seditious rabble and their leaders was so eminent, that it was very probable, if those few troops had been as actively employed as their commanders desired, they might have been able to have driven the bigots out of the country, before they had fully possessed the rest with their own rancour: which may be reasonably presumed by what followed shortly after, when Mr. Digby, sir John Stawell and his sons, with some volunteer gentlemen, being in the whole not above fourscore horse, and fourteen dragoons, charged a greater body of horse, and above six hundred foot of the rebels, led by a member of the house of commons; and without the loss of one man, killed seven in the place, hurt very many, took their chief officers, and as many more prisoners as they would; and so routed the whole body, that six men kept not together, they having all thrown down their arms.

But this good fortune abated only the courage of those who had run away, the other making use of this overthrow as an argument of the marquis's bloody purposes; and therefore, in few days, sir John Horner and Alexander Popham, being the principal men of quality of that party in that county, with the assistance of their friends of Dorset, and Devon, and the city of Bristol, drew together a body of above twelve thousand men,

horse and foot, with some pieces of cannon, with which they appeared on the top of the hill over Wells; where the marquis, in contempt of them, stayed two days, having only barricadoed the town; but then, finding that the few trained bands, which attended him there, were run away, either to their own houses, or to their fellows, on the top of the hill; and hearing that more forces, or at least better officers, were coming from the parliament against him, he retired in the noon day, and in the face of that rebellious herd, from Wells to Somerton, and so to Sherborne, without any loss or trouble. Thither, within two days, came to his lordship sir John Berkley, colonel Ashburnham, and other good officers, enough to have formed a considerable army, if there had been no other want. But they had not been long there, (and it was not easy to resolve whither else to go, they having no reason to believe they should be any where more welcome than in Somersetshire, from whence they had been now driven,) when the earl of Bedford, general of the horse to the parliament, with Mr. Hollis, sir Walter Earl, and other ephori, and a complete body of seven thousand foot at least, ordered by Charles Essex, their sergeant-major-general, a soldier of good experience and reputation in the Low Countries, and eight full troops of horse, under the command of captain Pretty, with four pieces of cannon, in a very splendid equipage, came to Wells, and from thence to Sherborne. The marquis, by this time having increased his foot to four hundred, with which that great army was kept from entering that great town, and persuaded to encamp in the field about three quarters

of a mile north from the castle; where, for the present, we must leave the marquis and his great-spirited little army.

It could never be understood, why that army did not then march directly to Nottingham; which if it had done, his majesty's few forces must immediately have been scattered, and himself fled, or put himself into their hands, which there were enough ready to have advised him to do; and if he had escaped, he might have been pursued by one regiment of horse till he had quitted the kingdom. But God blinded his enemies, so that they made not the least advance towards Nottingham. They [about the king] began now to wish that he had stayed at York, and proposed his return thither; but that was not hearkened to; and they who had advised his stay there, and against the advance to Nottingham, were more against his return thither, as an absolute flight; but wished the advance of the levies, and a little patience, till it might be discerned what the enemy did intend to do. In this great anxiety, some of the lords desired, "that his "majesty would send a message to the parliament, "with some overture to incline them to a treaty;" which proposition was no sooner made, but most concurred in it, and no one had the confidence to oppose it. The king himself was so offended at it, that he declared, "he would never yield to it;" and broke up the council, that it might be no longer urged. But the next day, when they met again, they renewed the same advice with more earnestness. The earl of Southampton, a person of great prudence, and a reputation at least equal to any man's, pressed it, "as a thing that might

" do good, and could do no harm;" and the king's reasons, with reference to the insolence it would raise in the rebels, and the dishonour that would thereby reflect upon himself, were answered, by saying " their insolence would be for the king's " advantage; and when they should reject the " offer of peace, which they believed they would " do, they would make themselves the more odious " to the people, who would be thereby the more " inclined to serve the king." So that they took it as granted, that the proposition would be rejected, and therefore it ought to be made. It was farther objected, " that his majesty was not able to make " resistance; that the forces before Sherborne, " Portsmouth, and at Northampton, were three " several armies, the least of which would drive " his majesty out of his dominions; that it was " only in his power to choose, whether, by making " a fair offer himself, he would seem to make peace, " which could not but render him very gracious to " the people, or suffer himself to be taken prisoner, " (which he would not long be able to avoid,) " which would give his enemies power, reputation, " and authority to proceed against his majesty, " and, it might be, his posterity, according to their " own engaged malice."

Yet this motive made no impression in him. " For, he said, no misfortune, or ill success that " might attend his endeavour of defending him- " self, could expose him to more inconveniences " than a treaty at this time desired by him, where " he must be understood to be willing to yield to " whatsoever they would require of him: and how " modest they were like to be, might be judged by

" their nineteen propositions, which were tendered,
" when their power could not be reasonably un-
" derstood to be like so much to exceed his ma-
" jesty's, as at this time it was evident it did; and
" that, having now nothing to lose but his honour,
" he could be only excusable to the world, by
" using his industry to the last to oppose that tor-
" rent, which if it prevailed would overwhelm him."
This composed courage and magnanimity of his majesty seemed too philosophical, and abstracted from the policy of self-preservation, to which men were passionately addicted: and that which was the king's greatest disadvantage, how many soever were of his mind, (as some few, and but few, there were,) no man durst publicly avow that he was so; a treaty for peace being so popular a thing, that whosoever opposed it would be sure to be, by general consent, a declared enemy to his country.

That which prevailed with his majesty very reasonably then (and indeed it proved equally advantageous to him afterwards) was, " that it was most
" probable" (and his whole fortune was to be submitted at best to probabilities) " that, out of their
" pride, and contempt of the king's weakness and
" want of power, the parliament would refuse to
" treat; which would be so unpopular a thing, that
" as his majesty would highly oblige his people by
" making the offer, so they would lose the hearts of
" them by rejecting it; which alone would raise an
" army for his majesty. That if they should em-
" brace it, the king could not but be a gainer; for
" by the propositions which they should make to
" him, he would be able to state the quarrel so
" clearly, that it should be more demonstrable to

" the kingdom, than yet it was, that the war was, " on his majesty's part, purely defensive; since he " never had, and now would not deny any thing, " which they could in reason or justice ask: that " this very overture would necessarily produce some " pause, and delay in their preparations, or motions " of their armies; for some debate it must needs " have; and during that time, men's minds would " be in suspense; whereas his majesty should be so " far from slackening his preparations, that he might " be more vigorous in them, by hastening those " levies, for which his commissions were out." For these reasons, and almost the concurrent desire and importunity of his council, the king was prevailed with to send the earls of Southampton and Dorset, sir John Colepepper, chancellor of his exchequer, and sir William Udall, (whom his majesty gave leave under that pretence to intend the business of his own fortune,) to the two houses with this message, which was sent the third day after his standard was set up.

" We have, with unspeakable grief of heart, long " beheld the distractions of this our kingdom. Our " very soul is full of anguish, until we may find " some remedy to prevent the miseries which are " ready to overwhelm this whole nation by a civil " war. And though all our endeavours, tending " to the composing of those unhappy differences " betwixt us and our two houses of parliament, " (though pursued by us with all zeal and sincer- " ity,) have been hitherto without that success we " hoped for; yet such is our constant and earnest " care to preserve the public peace, that we shall " not be discouraged from using any expedient,

" which, by the blessing of the God of mercy, may " lay a firm foundation of peace and happiness to " all our good subjects. To this end, observing " that many mistakes have arisen by the messages, " petitions, and answers, betwixt us and our two " houses of parliament, which happily may be pre- " vented by some other way of treaty, wherein " the matters in difference may be more clearly " understood, and more freely transacted; we have " thought fit to propound to you, that some fit " persons may be by you enabled to treat with the " like number to be authorized by us, in such a " manner, and with such freedom of debate, as " may best tend to that happy conclusion which " all good men desire, the peace of the kingdom. " Wherein, as we promise, in the word of a king, " all safety and encouragement to such as shall be " sent unto us, if you shall choose the place where " we are, for the treaty, which we wholly leave to " you, presuming the like care of the safety of " those we shall employ, if you shall name an- " other place; so we assure you, and all our good " subjects, that, to the best of our understanding, " nothing shall be therein wanting on our part, " which may advance the true protestant religion, " oppose popery and superstition, secure the law " of the land, (upon which is built as well our just " prerogative, as the propriety and liberty of the " subject,) confirm all just power and privileges of " parliament, and render us and our people truly " happy by a good understanding betwixt us and " our two houses of parliament. Bring with you " as firm resolutions to do your duty; and let all " our good people join with us in our prayers to

" Almighty God, for his blessing upon this work.
" If this proposition shall be rejected by you, we
" have done our duty so amply, that God will
" absolve us from the guilt of any of that blood
" which must be spilt; and what opinion soever
" other men may have of our power, we assure you
" nothing but our Christian and pious care to pre-
" vent the effusion of blood hath begot this mo-
" tion; our provision of men, arms, and money,
" being such as may secure us from farther vio-
" lence, till it please God to open the eyes of our
" people."

This message had the same reception his majesty believed it would have; and was indeed received with unheard of insolence and contempt. For the earl of Southampton, and sir John Colepepper, desiring to appear themselves before any notice should arrive of their coming, made such haste, that they were at Westminster in the morning shortly after the houses met. The earl of Southampton went into the house of peers, where he was scarce sat down in his place, when, with great passion, he was called upon to withdraw; albeit he told them he had a message to them from the king, and there could be no exception to his lordship's sitting in the house upon their own grounds; he having had leave from the house to attend his majesty. However he was compelled to withdraw; and then they sent the gentleman usher of the house to him, to require his message; which, his lordship said, he was by the king's command to deliver himself, and refused therefore to send it, except the lords made an order, that he should not [deliver it himself]; which they did; and thereupon he sent it to them;

which they no sooner received, than they sent him word, "that he should, at his peril, immediately "depart the town, and that they would take care "that their answer to the message should be sent "to him." And so the earl of Southampton departed the town, reposing himself in better company at the house of a noble person seven or eight miles off. Whilst the earl had this skirmish with the lords, sir John Colepepper attended the commons, forbearing to go into the house without leave, because there had been an order, (which is mentioned before,) that all the members, who were not present at such a day, should not presume to sit there, till they had paid a hundred pounds, and given the house satisfaction in the cause of their absence. But he sent word to the speaker, "that "he had a message from the king to them, and "that he desired to deliver it in his place in the "house." After some debate, (for there remained yet some, who thought it as unreasonable as irregular to deny a member of the house, against whom there had not been the least public objection, and a privy-counsellor who had been in all times used there with great reverence, leave to deliver a message from the king in his own place as a member,) it was absolutely resolved, "that "he should not sit in the house, but that he should "deliver his message at the bar, and immediately "withdraw;" which he did accordingly.

And then the two houses met at a conference, and read the king's message with great superciliousness; and within two days, with less difficulty and opposition than can be believed, agreed upon their answer. The king's messengers, in the mean

time, being of that quality, not receiving ordinary civility from any members of either house; they who were very willing to have paid it, not daring for their own safety to come near them; and the others looking upon them as servants to a master whom they had, and meant farther to oppress. Private conferences they had with some of the principal governors; from whom they received no other advice, but that, if the king had any care of himself or his posterity, he should immediately come to London, throw himself into the arms of his parliament, and comply in whatsoever they proposed. The answer which they returned to the king was this:

The answer of the lords and commons to his majesty's message of the 25th of August, 1642.

" May it please your majesty:

" The lords and commons, in parliament assembled, having received your majesty's message of " the 25th of August, do with much grief resent " the dangerous and distracted state of this king- " dom; which we have by all means endeavoured " to prevent, both by our several advices and pe- " titions to your majesty; which have been not " only without success, but there hath followed that " which no ill counsel in former times hath pro- " duced, or any age hath seen, namely, those " several proclamations and declarations against " both the houses of parliament, whereby their " actions are declared treasonable, and their per- " sons traitors. And thereupon your majesty hath " set up your standard against them, whereby you " have put the two houses of parliament, and, in

" them, this whole kingdom, out of your protec-
" tion; so that until your majesty shall recall
" those proclamations and declarations, whereby
" the earl of Essex, and both houses of parlia-
" ment, and their adherents, and assistants, and
" such as have obeyed and executed their com-
" mands and directions, according to their duties,
" are declared traitors or otherwise delinquents:
" and until the standard, set up in pursuance of
" the said proclamation, be taken down, your ma-
" jesty hath put us into such a condition, that,
" whilst we so remain, we cannot, by the funda-
" mental privileges of parliament, the public trust
" reposed in us, or with the general good and safety
" of this kingdom, give your majesty any other
" answer to this message."

When the king's messengers returned with this answer to Nottingham, all men saw to what they must trust; and the king believed, he should be no farther moved to make addresses to them. And yet all hopes of an army, or any ability to resist that violence, seemed so desperate, that he was privately advised by those, whom he trusted as much as any, and those whose affections were as entire to him as any men's, to give all other thoughts over, and instantly to make all imaginable haste to London, and to appear in the parliament-house before they had any expectation of him. And they conceived there would be more likelihood for him to prevail that way, than by any army he was like to raise. And it must be solely imputed to his majesty's own magnanimity, that he took not that course. However he was contented to make so much farther use of their pride and passion, as to give them oc-

casion, by another message, to publish more of it to the people; and therefore, within three days after the return of his messengers, he sent the lord Falkland, his principal secretary of state, with a reply to their answer in these words.

"We will not repeat, what means we have used "to prevent the dangerous and distracted estate of "the kingdom, nor how those means have been "interpreted; because, being desirous to avoid the "effusion of blood, we are willing to decline all "memory of former bitterness, that might render "our offer of a treaty less readily accepted. We "never did declare, nor ever intended to declare, "both our houses of parliament traitors, or set up "our standard against them; and much less to "put them and this kingdom out of our protection. "We utterly profess against it before God, and "the world; and, farther to remove all possible "scruples, which may hinder the treaty so much "desired by us, we hereby promise, so that a day "be appointed by you for the revoking of your "declarations against all persons as traitors, or "otherwise, for assisting us; we shall, with all "cheerfulness, upon the same day recall our pro-"clamations and declarations, and take down our "standard. In which treaty, we shall be ready to "grant any thing, that shall be really for the good "of our subjects: conjuring you to consider the "bleeding condition of Ireland, and the dangerous "condition of England, in as high a degree, as by "these our offers we have declared ourself to do; "and assuring you, that our chief desire, in this "world, is to beget a good understanding and mu-

" tual confidence betwixt us and our two houses of " parliament."

This message had no better effect or reception than the former; their principal officers being sent down since the last message to Northampton to put the army into a readiness to march. And now they required the earl of Essex himself to make haste thither, that no more time might be lost, sending by the lord Falkland, within two days, this answer to the king:

To the king's most excellent majesty;

The humble answer and petition of the lords and commons assembled in parliament, unto the king's last message.

" May it please your majesty:

" If we, the lords and commons in parliament " assembled, should repeat all the ways we have " taken, the endeavours we have used, and the ex- " pressions we have made unto your majesty, to " prevent those distractions, and dangers, your " majesty speaks of, we should too much enlarge " this reply. Therefore, as we humbly, so shall " we only let your majesty know, that we cannot " recede from our former answer, for the reasons " therein expressed. For that your majesty hath " not taken down your standard, recalled your " proclamations and declarations, whereby you " have declared the actions of both houses of par- " liament to be treasonable, and their persons " traitors; and you have published the same since " your message of the 25th of August, by your

"late instructions sent to your commissioners of "array; which standard being taken down, and "the declarations, proclamations, and instructions "recalled, if your majesty shall then, upon this our "humble petition, leaving your forces, return unto "your parliament, and receive their faithful advice, "your majesty will find such expressions of our "fidelities, and duties, as shall assure you, that "your safety, honour, and greatness, can only be "found in the affections of your people, and the "sincere counsels of your parliament; whose con-"stant and undiscouraged endeavours and consul-"tations have passed through difficulties unheard "of, only to secure your kingdoms from the vio-"lent mischiefs and dangers now ready to fall "upon them, and every part of them; who de-"serve better of your majesty, and can never "allow themselves (representing likewise the whole "kingdom) to be balanced with those persons, "whose desperate dispositions and counsels pre-"vail still to interrupt all our endeavours for the "relieving of bleeding Ireland; as we may fear "our labours and vast expenses will be fruitless to "that distressed kingdom. As your presence is "thus humbly desired by us, so it is our hope your "majesty will in your reason believe, there is no "other way than this, to make your majesty's self "happy, and your kingdom safe."

And lest this overture of a treaty might be a means to allay and compose the distempers of the people, and that the hope and expectation of peace might not dishearten their party, in their preparations and contributions to the war, the same day

they sent their last answer to the king, they published this declaration to the kingdom:

"Whereas his majesty, in a message received "the fifth of September, requires that the parliament would revoke their declarations against "such persons as have assisted his majesty in this "unnatural war against his kingdom; it is this "day ordered, and declared by the lords and "commons, that the arms, which they have been "forced to take up, and shall be forced to take up, "for the preservation of the parliament, religion, "the laws and liberties of the kingdom, shall not "be laid down, until his majesty shall withdraw "his protection from such persons as have been "voted by both houses to be delinquents, or that "shall by both houses be voted to be delinquents, "and shall leave them to the justice of the parliament to be proceeded with according to their "demerits; to the end that both this and succeeding generations may take warning, with "what danger they incur the like heinous crimes: "and also to the end that those great charges and "damages, wherewith all the commonwealth hath "been burdened in the premises, since his majesty's departure from the parliament, may be "borne by the delinquents, and other malignant "and disaffected persons: and that all his majesty's good and well affected subjects, who by "loan of monies, or otherwise at their charge, "have assisted the commonwealth, or shall in "like manner hereafter assist the commonwealth "in time of extreme danger, may be repaid all "sums of money lent by them for those purposes,

" and be satisfied their charges so sustained, out " of the estates of the said delinquents, and of " the malignant and disaffected party in this " kingdom."

This declaration did the king no harm; for besides that it was evident to all men, that the king had done whatsoever was in his power, or could be expected from him, for the prevention of a civil war, all persons of honour and quality plainly discerned, that they had no safety but in the preservation of the regal power, since their estates were already disposed of by them who could declare whom they would delinquents, and who would infallibly declare all such who had not concurred with them. And the advantage the king received by those overtures, and the pride, frowardness, and perverseness of the rebels, is not imaginable; his levies of men, and all other preparations for the war, being incredibly advanced from the time of his first message. Prince Rupert lay still with the horse at Leicester; and though he, and some of the principal officers with him, were discontented to that degree, upon the king's first message and desire of a treaty, as like not only to destroy all hopes of raising an army, but to sacrifice those who were raised, that they were not without some thoughts, at least discourses, of offering violence to the principal advisers of it, he now found his numbers increased, and better resolved by it; and from Yorkshire, Lincolnshire, and Staffordshire, came very good recruits of foot; so that his cannon and munition being likewise come up from York, within twenty days his numbers began to look towards an army; and there was another air

in all men's faces: yet Nottingham seemed not a good post for his majesty to stay longer at; and therefore, about the middle of September, the earl of Essex being then with his whole army at Northampton, his majesty marched from Nottingham to Derby; being not then resolved whither to bend his course, to Shrewsbury or Chester, not well knowing the temper of those towns, in both which the parliament party had been very active; but resolving to sit down near the borders of Wales, where the power of the parliament had been least prevalent, and where some regiments of foot were levying for his service. Before his leaving Nottingham, as a farewell to his hopes of a treaty, and to make the deeper sense and impression, in the hearts of the people, of those who had so pertinaciously rejected it, his majesty sent this message to the houses:

"Who have taken most ways, used most endea-
" vours, and made most real expressions to pre-
" vent the present distractions and dangers, let all
" the world judge, as well by former passages, as
" by our two last messages, which have been so
" fruitless, that, though we have descended to de-
" sire and press it, not so much as a treaty can be
" obtained; unless we would denude ourself of all
" force to defend us from a visible strength march-
" ing against us; and admit those persons as
" traitors to us, who, according to their duty, their
" oaths of allegiance, and the law, have appeared
" in defence of us, their king and liege lord, (whom
" we are bound in conscience and honour to pre-
" serve,) though we disclaimed all our proclama-
" tions, and declarations, and the erecting of our

"standard, as against our parliament. All we "have now left in our power, is to express the "deep sense we have of the public misery of this "kingdom, in which is involved that of our dis-"tressed protestants of Ireland; and to apply "ourself to our necessary defence, wherein we "wholly rely upon the providence of God, the "justice of our cause, and the affection of our "good people; so far we are from putting them "out of our protection. When you shall desire a "treaty of us, we shall piously remember, whose "blood is to be spilt in this quarrel, and cheerfully "embrace it. And as no other reason induced us "to leave our city of London, but that, with honour "and safety we could not stay there; nor [to] "raise any force, but for the necessary defence of "our person and the law, against levies in opposi-"tion to both; so we shall suddenly and most "willingly return to the one, and disband the "other, as soon as those causes shall be removed. "The God of heaven direct you, and in mercy "divert those judgments, which hang over this "nation; and so deal with us, and our posterity, "as we desire the preservation and advancement "of the true protestant religion; the law, and the "liberty of the subject; the just rights of parlia-"ment, and the peace of the kingdom."

When the king came to Derby, he received clear information from the well affected party in Shrewsbury, that the town was at his devotion; and that the very rumour of his majesty's purpose of coming thither had driven away all those who were most inclined to sedition. And therefore, as well in regard of the strong and pleasant situation of it,

(one side being defended by the Severn, the other having a secure passage into Wales, the confines of Montgomeryshire extending very near the town,) as for the correspondence with Worcester, of which city he hoped well, and that, by his being at Shrewsbury, he should be as well able to secure Chester, as by carrying his whole train so far north; besides that the other might give some apprehension of his going into Ireland, which had been formerly mentioned, his majesty resolved for that town; and, after one day's stay at Derby, by easy marches he went thither, drawing his whole small forces to a rendezvous by Wellington, a day's march short of Shrewsbury; and that being the first time that they were together, his majesty then caused his military orders for the discipline and government of the army to be read at the head of each regiment; and then, which is not fit ever to be forgotten, putting himself in the middle, where he might be best heard, not much unlike the emperor Trajan, who, when he made Sura great marshal of the empire, gave him a sword, saying, "Receive this sword of me; and if I command as "I ought, employ it in my defence; if I do other-"wise, draw it against me, and take my life "from me," his majesty made this speech to his soldiers:

"Gentlemen, you have heard those orders read: "it is your part, in your several places, to observe "them exactly. The time cannot be long before "we come to action, therefore you have the more "reason to be careful: and I must tell you, I shall "be very severe in the punishing of those, of what "condition soever, who transgress these instruc-

" tions. I cannot suspect your courage and reso-
" lution; your conscience and your loyalty hath
" brought you hither, to fight for your religion,
" your king, and the laws of the land. You shall
" meet with no enemies but traitors, most of them
" Brownists, anabaptists, and atheists; such who
" desire to destroy both church and state, and
" who have already condemned you to ruin for
" being loyal to us. That you may see what use
" I mean to make of your valour, if it please God
" to bless it with success, I have thought fit to
" publish my resolution to you in a protestation;
" which when you have heard me make, you will
" believe you cannot fight in a better quarrel; in
" which I promise to live and die with you."

The protestation his majesty was then pleased to make was in these words:

" I do promise in the presence of Almighty
" God, and as I hope for his blessing and protec-
" tion, that I will, to the utmost of my power,
" defend and maintain the true reformed protestant
" religion, established in the church of England;
" and, by the grace of God, in the same will live
" and die.

" I desire to govern by the known laws of the
" land, and that the liberty and property of the
" subject may be by them preserved with the same
" care, as my own just rights. And if it please
" God, by his blessing upon this army, raised for
" my necessary defence, to preserve me from this
" rebellion, I do solemnly and faithfully promise,
" in the sight of God, to maintain the just privi-
" leges and freedom of parliament, and to govern
" by the known laws of the land to my utmost

" power; and particularly, to observe inviolably " the laws consented to by me this parliament. In " the mean while, if this time of war, and the great " necessity and straits I am now driven to, beget " any violation of those, I hope it shall be imputed " by God and men to the authors of this war, " and not to me; who have so earnestly laboured " for the preservation of the peace of this kingdom.

" When I willingly fail in these particulars, I " will expect no aid or relief from any man, or pro- " tection from heaven. But in this resolution, I " hope for the cheerful assistance of all good men, " and am confident of God's blessing."

This protestation, and the manner and solemnity of making it, gave not more life and encouragement to the little army, than it did comfort and satisfaction to the gentry and inhabitants of those parts; into whom the parliament had infused, that, if his majesty prevailed by force, he would, with the same power, abolish all those good laws, which had been made this parliament; so that they looked upon this protestation, as a more ample security for their enjoying the benefit of those acts, than the royal assent he had before given. And a more general and passionate expression of affections cannot be imagined, than he received by the people of those counties of Derby, Stafford, and Shropshire, as he passed; or a better reception, than he found at Shrewsbury; into which town he entered on Tuesday the 20th of September.

It will be, and was then, wondered at, that since the parliament had a full and well formed army, before the king had one full regiment, and the earl of Essex was himself come to Northampton, some

days before his majesty went from Nottingham, his lordship neither disquieted the king whilst he stayed there, nor gave him any disturbance in his march to Shrewsbury; which if he had done, he might either have taken him prisoner, or so dispersed his small power, that it would never have been possible for him to have gotten an army together. But as the earl had not yet received his instructions, so they, upon whom he depended, avoided that expedition out of mere pride, and contempt of the king's forces; and upon a presumption, that it would not be possible for him to raise such a power, as would be able to look their army in the face; but that, when he had in vain tried all other ways, and those, who not only followed him upon their own charges, but supported those who were not able to bear their own, (for his army was maintained and paid by the nobility and gentry, who served likewise in their own persons,) were grown weary and unable longer to bear that burden, his majesty would be forced to put himself into their arms for protection and subsistence; and such a victory without blood had crowned all their designs. And if their army, which they pretended to raise only for their defence, and for the safety of the king's person, had been able to prevent the king's raising any; or if the king, in that melancholic conjuncture at Nottingham, had returned to Whitehall, he had justified all their proceedings, and could never after have refused to yield to whatsoever they proposed.

And it is most certain, that the common soldiers of the army were generally persuaded, that they should never be brought to fight; but that the

king was in truth little better than imprisoned by evil counsellors, malignants, delinquents, and cavaliers, (the terms applied to his whole party,) and would gladly come to his parliament, if he could break from that company; which he would undoubtedly do, if their army came once to such a distance, that his majesty might make an escape to them. And in this kind of discourse they were so sottish, that they were persuaded, that those persons, of whose piety, honour, and integrity, they had received heretofore the greatest testimony, were now turned papists; and that the small army, and forces the king had, consisted of no other than papists. Insomuch as truly those of the king's party, who promised themselves any support, but from the comfort of their own consciences, or relied upon any other means than from God Almighty, could hardly have made their expectations appear reasonable; for they were in truth possessed of the whole kingdom.

Portsmouth, the strongest and best fortified town then in the kingdom, was surrendered to them; colonel Goring, about the beginning of September, though he had seemed to be so long resolved, and prepared to expect a siege, and had been supplied with monies according to his own proposal, was brought so low, that he gave it up, only for liberty to transport himself beyond seas, and for his officers to repair to the king. And it were to be wished that there might be no more occasion to mention him hereafter, after this repeated treachery; and that his incomparable dexterity and sagacity had not prevailed so far over those, who had been so often deceived by him, as

to make it absolutely necessary to speak at large of him, more than once, before this discourse comes to an end.

The marquis of Hertford, though he had so much discredited the earl of Bedford's soldiery, and disheartened his great army, that the earl of Bedford (after lying in the fields four or five nights within less than cannon shot of the castle and town, and after having refused to fight a duel with the marquis, to which he provoked him by a challenge) sent sir John Norcot, under pretence of a treaty and the godly care to avoid the effusion of Christian blood, in plain English to desire "that he might "fairly and peaceably draw off his forces, and "march away;" the which, how reasonable a request soever it was, the marquis refused; sending them word, "that as they came thither upon their "own counsels, so they should get off as they "could;" and at last they did draw off, and march above a dozen miles for repose; leaving the marquis, for some weeks, undisturbed at Sherborne: yet when he heard of the loss of Portsmouth, the relief whereof was his principal business, and so that those forces would probably be added to the earl of Bedford, and by their success give much courage to his bashful army, and that a good regiment of horse, which he expected, (for sir John Byron had sent him word from Oxford, that he would march towards him,) was retired to the king; and that the committees were now so busy in the several counties, that the people in all places declared for the parliament; and more particularly some strong and populous towns in Somersetshire; as Taunton, Wellington, and Dunstar-Castle; by

reason whereof it would not be possible for him to increase his strength; he resolved to leave Sherborne, where his stay could no way advance the king's service, and to try all ways to get to his majesty. But when he came to Minhead, a port-town, from whence he made no doubt he should be able to transport himself and his company into Wales, he found the people both of the town and county so disaffected, that all the boats, of which there used always to be great store, by reason of the trade for cattle and corn with Wales, were industriously sent away, save only two; so that the earl of Bedford having taken new heart, and being within four miles with his army, his lordship, with his small cannon and few foot, with the lord Pawlet, lord Seymour, and some gentlemen of Somersetshire, transported himself into Glamorganshire; leaving sir Ralph Hopton, sir John Berkley, Mr. Digby, and some other officers with their horse, (consisting of about one hundred and twenty,) to march into Cornwall, in hope to find that county better prepared for their reception.

On the other hand, the earl of Bedford, thinking those few fugitives not worth his farther care, and that they would be easily apprehended by the committee of the militia, which was very powerful in Devon and Cornwall, contented himself with having driven away the marquis, and so expelled all hope of raising an army for the king in the west; and retired with his forces to the earl of Essex, as sir William Waller had done from Portsmouth; so that as it was not expected, that the forces about his majesty could be able to defend him against so puissant an army, so it was not imaginable that he

could receive any addition of strength from any other parts. For wherever they found any person of quality inclined to the king, or but disinclined to them, they immediately seized upon his person, and sent him in great triumph to the parliament; who committed him to prison, with all circumstances of cruelty and inhumanity.

Thus they took prisoner the lord Mountague of Boughton, at his house in Northamptonshire, a person of great reverence, being above fourscore years of age, and of unblemished reputation, for declaring himself unsatisfied with their disobedient and undutiful proceedings against the king, and more expressly against their ordinance for the militia; and notwithstanding that he had a brother of the house of peers, the lord privy seal, and a nephew, the lord Kimbolton, who had as full a power in that council as any man, and a son in the house of commons very unlike his father; his lordship was committed to the Tower a close prisoner; and, though he was afterwards remitted to more air, he continued a prisoner to his death.

Thus they took prisoner in Oxfordshire the earl of Berkshire, and three or four principal gentlemen of that county; and committed them to the Tower, for no other reason but wishing well to the king; for they never appeared in the least action in his service. And thus they took prisoner the earl of Bath in Devonshire, who neither had, or ever meant to do the king the least service; but only out of the morosity of his own nature, had before, in the house, expressed himself not of their mind; and carried him, with many other gentlemen of Devon and Somerset, with a strong guard of horse,

to London; where, after they had been exposed to the rudeness and reproach of the common people, who called them traitors and rebels to the parliament, and pursued them with such usage as they use to the most infamous malefactors, they were, without ever being examined, or charged with any particular crime, committed to several prisons; so that not only all the prisons about London were quickly filled with persons of honour, and great reputation for sobriety and integrity to their counties, but new prisons were made for their reception; and, which was a new and barbarous invention, very many persons of very good quality, both of the clergy and laity, were committed to prison on board the ships in the river of Thames; where they were kept under decks, and no friend suffered to come to them, by which many lost their lives. And that the loss of their liberty might not be all their punishment, it was the usual course, and very few escaped it, after any man was committed as a notorious malignant, (which was the brand,) that his estate and goods were seized or plundered by an order from the house of commons, or some committee, or the soldiers, who in their march took the goods of all catholics and eminent malignants, as lawful prize; or by the fury and license of the common people, who were in all places grown to that barbarity and rage against the nobility and gentry, (under the style of cavaliers,) that it was not safe for any to live at their houses, who were taken notice of as no votaries to the parliament.

So the common people (no doubt by the advice of their superiors) in Essex on a sudden beset the house of sir John Lucas, one of the best gentlemen

of that county, and of the most eminent affection to the king, being a gentleman of the privy chamber to the prince of Wales; and, upon pretence that he was going to the king, possessed themselves of all his horses and arms, seized upon his person, and used him with all possible indignities, not without some threats to murder him: and when the mayor of Colchester, whither he was brought, with more humanity than the rest, offered to keep him prisoner in his own house, till the pleasure of the parliament should be farther known, they compelled him, or he was willing to be compelled, to send him to the common gaol; where he remained, glad of that security, till the house of commons removed him to another prison, (without ever charging him with any crime,) having sent all his horses to the earl of Essex, to be used in he service of that army.

At the same time the same rabble entered the house of the countess of Rivers, near Colchester; for no other ground, than that she was a papist; and in few hours disfurnished it of all the goods, which had been many years with great curiosity providing, and were not of less value than forty thousand pounds sterling; the countess herself hardly escaping, after great insolence had been used to her person: and she could never receive any reparation from the parliament; so that these and many other instances of the same kind in London and the parts adjacent, gave sufficient evidence to all men how little else they were to keep, who meant to preserve their allegiance and integrity in the full vigour.

I must not forget, though it cannot be remem-

bered without much horror, that this strange wild-fire among the people was not so much and so furiously kindled by the breath of the parliament, as of the clergy, who both administered fuel, and blowed the coals in the houses too. These men having creeped into, and at last driven all learned and orthodox men from, the pulpits, had, as is before remembered, from the beginning of this parliament, under the notion of reformation and extirpating of popery, infused seditious inclinations into the hearts of men against the present government of the church, with many libellous invectives against the state too. But since the raising an army, and rejecting the king's last overture of a treaty, they contained themselves within no bounds; and as freely and without control inveighed against the person of the king, as they had before against the worst malignant; profanely and blasphemously applying whatsoever had been spoken and declared by God himself, or the prophets, against the most wicked and impious kings, to incense and stir up the people against their most gracious sovereign.

There are monuments enough in the seditious sermons at that time printed, and in the memories of men, of others not printed, of such wresting and perverting of scripture to the odious purposes of the preacher, that pious men will not look over without trembling. One takes his text out of Moses's words in the 32d chapter of Exodus, and the 29th verse; *Consecrate yourselves to-day to the Lord, even every man upon his son, and upon his brother, that he may bestow upon you a blessing this day:* and from thence incites his auditory to the utmost prosecution of those, under what relation

soever of blood, neighbourhood, dependence, who concurred not in the reformation proposed by the parliament. Another makes as bold with David's words, in the 1st Chron. chap. xxii. verse 16. *Arise therefore, and be doing:* and from thence assures them, it was not enough to wish well to the parliament; if they brought not their purse, as well as their prayers, and their hands, as well as their hearts, to the assistance of it, the duty in the text was not performed. There [were] more than Mr. Marshall, who from the 23d verse of the 5th chapter of Judges, *Curse ye Meroz, said the angel of the Lord; curse ye bitterly the inhabitants thereof, because they came not to the help of the Lord, to the help of the Lord against the mighty;* presumed to inveigh against, and in plain terms to pronounce God's own curse against all those, who came not, with their utmost power and strength, to destroy and root out all the malignants, who in any degree opposed the parliament.

There was one, who from the 48th chapter of the prophet Jeremiah, and the 10th verse, *Cursed be he that keepeth back his sword from blood,* reproved those who gave any quarter to the king's soldiers. And another out of the 5th verse of the 25th chapter of Proverbs, *Take away the wicked from before the king, and his throne shall be established in righteousness,* made it no less a case of conscience by force to remove the evil counsellors from the king, (with bold intimation what might be done to the king himself, if he would not suffer them to be removed,) than to perform any Christian duty that is enjoined. It would fill a volume to insert all the impious madness of this kind, so that

the complaint of the prophet Ezekiel might most truly and seasonably have been applied; *There is a conspiracy of her prophets in the midst thereof, like a roaring lion ravening the prey; they have devoured souls; they have taken the treasure and precious things; they have made her many widows in the midst thereof.* Ezek. xxii. 25.

It was the complaint of Erasmus of the clergy in his time, that when princes were inclinable to wars, *alius e sacro suggesto promittit omnium admissorum condonationem, alius promittit certam victoriam, prophetarum voces ad rem impiam detorquens. Tam bellaces conciones audivimus*, says he. And indeed no good Christian can, without horror, think of those ministers of the church, who, by their function being messengers of peace, were the only trumpets of war, and incendiaries towards rebellion. How much more Christian was that Athenian nun in Plutarch, and how shall she rise up in judgment against those men, who, when Alcibiades was condemned by the public justice of the state, and a decree made that all the religious priests and women should ban and curse him, stoutly refused to perform that office; answering, "that she was "professed religious, to *pray* and to *bless*, not to "*curse* and to *ban*." And if the person and the place can improve and aggravate the offence, (as without doubt it doth, both before God and man,) methinks the preaching treason and rebellion out of the pulpits should be worse than the advancing it in the market, as much as poisoning a man at the communion would be worse than murdering him at a tavern. And it may be, in that catalogue of sins, which the zeal of some men hath thought

to be the sin against the Holy Ghost, there may not any one be more reasonably thought to be such, than a minister of Christ's turning rebel against his prince, (which is a most notorious apostasy against his order,) and his preaching rebellion to the people, as the doctrine of Christ; which, adding blasphemy and pertinacy to his apostasy, hath all the marks by which good men are taught to avoid that sin against the Holy Ghost.

Within three or four days after the king's remove from Nottingham, the earl of Essex, with his whole army, removed from Northampton, and marched towards Worcester; of which his majesty had no sooner intelligence, than he sent prince Rupert, with the greatest part of the horse, on the other side of the Severn, towards that city; as well to observe the motion of the enemy, as to give all assistance to that place, which had declared good affections to him; at least to countenance and secure the retreat of those gentlemen, who were there raising forces for the king; but especially to join with sir John Byron, whom his majesty had sent, in the end of August, to Oxford, to convey some money, which had been secretly brought from London thither to his majesty. And he, after some small disasters in his march, by the insurrection of the country people, who were encouraged by the agents for the parliament, and seconded by the officers of the militia, came safe with his charge to Worcester; where he had been very few hours, when a strong party of horse and dragoons, being sent by the earl of Essex, under the command of Nathaniel Fiennes, son to the lord Say, came to surprise the town; which was open enough to have

been entered in many places, though in some it had an old decayed wall; and, at the most usual and frequented entrances into the city, weak and rotten gates to be shut, but without either lock or bolt.

Yet this doughty commander, coming early in the morning, when the small guard which had watched, conceiving all to be secure, were gone to rest, and being within musket shot of the gate before he was discovered, finding that weak door shut, or rather closed against him, and not that quick appearance of a party within the town, as he promised himself, without doing any harm, retired in great disorder, and with so much haste, that the wearied horse, sent out presently to attend him, could not overtake any of his train; so that when prince Rupert came thither, they did not conceive any considerable party of the enemy to be near. However his highness resolved to retire from thence, as soon as he should receive perfect intelligence of the motion of the enemy, or where he certainly was, when on the sudden, being reposing himself on the ground with prince Maurice his brother, the lord Digby, and the principal officers, in the field before the town, some of his wearied troops (for they had had a long march) being by, but the rest and most of the officers being in the town, he espied a fair body of horse, consisting of near five hundred, marching in very good order up a lane within musket shot of him. In this confusion, they had scarce time to get upon their horses, and none to consult of what was to be done, or to put themselves into their several places of command. And, it may be, it was well they had not; for if

all those officers had been in the heads of their several troops, it is not impossible it might have been worse. But the prince instantly declaring, "that he would charge;" his brother, the lord Digby, commissary general Wilmot, sir John Byron, sir Lewis Dives, and all those officers and gentlemen, whose troops were not present or ready, put themselves next the prince; the other wearied troops coming in order after them.

And in this manner the prince charged them, as soon as they came out of the lane; and being seconded by this handful of good men, though the rebels being gallantly led by colonel Sandys, (a gentleman of Kent, and the son of a worthy father,) and completely armed both for offence and defence, stood well; yet in a short time, many of their best men being killed, and colonel Sandys himself falling with his hurts, the whole body was routed, fled, and was pursued by the conquerors for the space of above a mile. The number of the slain were not many, not above forty or fifty, and those most officers; for their arms were so good, that in the charge they were not to be easily killed, and in the chase the goodness of their horse made it impossible. Colonel Sandys, who died shortly after of his wounds, captain Wingate, who was the more known, by being a member of the house of commons, and taken notice of for having in that charge behaved himself stoutly, and two or three Scottish officers, were taken prisoners. Of the king's party none of name was lost: commissary general Wilmot hurt with a sword in the side, and sir Lewis Dives in the shoulder, and two or three other officers of inferior note; none miscarrying of their

wounds, which was the more strange for that, by reason they expected not an encounter, there was not, on the prince's side, a piece of armour worn that day, and but few pistols; so that most of the hurt that was done was by the sword. Six or seven cornets [of the enemy's] were taken, and many good horses, and some arms; for they who run away made themselves as light as they could.

This rencounter proved of unspeakable advantage and benefit to the king. For it being the first action his horse had been brought to, and that party of the enemy being the most picked and choice men, it gave his troops great courage, and rendered the name of prince Rupert very terrible, and exceedingly appalled the adversary; insomuch as they had not, in a long time after, any confidence in their horse, and their very numbers were much lessened by it. For that whole party being routed, and the chief officers of name and reputation either killed or taken, though the number lost upon the place was not considerable, there were very many more who never returned to the service; and, which was worse, for their own excuse, in all places, talked aloud of the incredible and unresistible courage of prince Rupert, and the king's horse. So that, from this time, the parliament begun to be apprehensive, that the business would not be as easily ended, as it was begun; and that the king would not be brought back to his parliament with their bare votes. Yet how faintly soever the private pulses beat, (for no question many, who had made greatest noise, wished they were again to choose their side,) there was so far from any visible abatement of their mettle, that to weigh

down any possible supposition that they might be inclined, or drawn to treat with the king, or that they had any apprehension that the people would be less firm, and constant to them, they proceeded to bolder acts to evince both, than they had yet done.

For to the first, to shew how secure they were against resentment from his allies, as well as against his majesty's own power, they caused the Capuchin friars, who, by the articles of marriage, were to have a safe reception and entertainment in the queen's family, and had, by her majesty's care, and at her charge, a small, but a convenient habitation, by her own chapel, in her own house, in the Strand, and had continued there, without disturbance, from the time of the marriage, after many insolences and indignities offered to them by the rude multitude, even within those gates of her own house, to be taken from thence, and to be sent over into France, with protestation, " that if " they were found again in England, they should " be proceeded against as traitors :" and this in the face of the French ambassador, who notwithstanding withdrew not from them his courtship and application.

Then, that the king might know how little they dreaded his forces, they sent down their instructions to the earl of Essex their general, who had long expected them ; whereby, among other things of form for the better discipline of the army, " they " required him to march, with such forces as he " thought fit, towards the army raised, in his ma- " jesty's name, against the parliament and the " kingdom ; and with them, or any part of them,

" to fight at such time and place as he should
" judge most to conduce to the peace and safety of
" the kingdom: and that he should use his utmost
" endeavour by battle, or otherwise, to rescue
" his majesty's person, and the persons of the
" prince, and duke of York, out of the hands of those
" desperate persons, who were then about them.
" They directed him to take an opportunity, in
" some safe and honourable way, to cause the
" petition of both houses of parliament, then sent
" to him, to be presented to his majesty; and if
" his majesty should thereupon please to withdraw
" himself from the forces then about him, and to
" resort to the parliament, his lordship should
" cause his majesty's forces to disband, and should
" serve and defend his majesty with a sufficient
" strength in his return. They required his lord-
" ship to publish and declare, that if any who had
" been so seduced, by the false aspersions cast
" upon the proceedings of the parliament, as to
" assist the king in acting of those dangerous
" counsels, should willingly, within ten days after
" such publication in the army, return to their duty,
" not doing any hostile act within the time limited,
" and join themselves with the parliament in
" defence of religion, his majesty's person, the
" liberties, and law of the kingdom, and privileges
" of parliament, with their persons, and estates, as
" the members of both houses, and the rest of the
" kingdom, have done, that the lords and commons
" would be ready, upon their submission, to receive
" such persons in such manner, as they should
" have cause to acknowledge they had been used
" with clemency and favour; provided that that

" favour should not extend to admit any man into " either house of parliament, who stood suspended, " without giving satisfaction to the house whereof " he should be a member; and except all persons " who stood impeached, or particularly voted in " either house of parliament for any delinquency " whatsoever; excepting likewise such adherents of " those who stood impeached in parliament of " treason, as had been eminent persons, and chief " actors in those treasons." And lest those clauses of exception (which no doubt comprehended all the king's party, and if not, they were still to be judges of their own clemency and favour, which was all was promised to the humblest penitent) might invite those, whom they had no mind to receive on any terms, they vouchsafed a " parti- " cular exception of the earl of Bristol, the earl of " Cumberland, the earl of Newcastle, the earl of " Rivers, the duke of Richmond, the earl of Car- " narvon, the lord Newark, and the lord viscount " Falkland, principal secretary of state to his ma- " jesty, Mr. Secretary Nicholas, Mr. Endymion " Porter, and Mr. Edward Hyde;" against not one of whom was there a charge depending of any crime, and against very few of them so much as a vote, which was no great matter of delinquency.

It will be here necessary to insert the petition, directed to be presented in some safe and honourable way to his majesty; the rather for that the same was, upon the reasons hereafter mentioned, never presented; which was afterwards objected to his majesty as a rejection of peace on his part, when they desired it. The petition was in these words:

"We, your majesty's loyal subjects, the lords "and commons in parliament, cannot, without "great grief, and tenderness of compassion, be- "hold the pressing miseries, the imminent dangers, "and the devouring calamities, which extremely "threaten, and have partly seized upon, both your "kingdoms of England and Ireland, by the prac- "tices of a party prevailing with your majesty; "who, by many wicked plots and conspiracies, have "attempted the alteration of the true religion, and "the ancient government of this kingdom, and the "introducing of popish idolatry and superstition in "the church, and tyranny and confusion in the "state; and, for the compassing thereof, have long "corrupted your majesty's counsels, abused your "power, and, by sudden and untimely dissolving of "former parliaments, have often hindered the re- "formation and prevention of those mischiefs; and "being now disabled to avoid the endeavours of this "parliament, by any such means, have traitorously "attempted to overawe the same by force; and, in "prosecution of their wicked designs, have excited, "encouraged, and fostered an unnatural rebellion "in Ireland; by which, in a most cruel and out- "rageous manner, many thousands of your ma- "jesty's subjects there have been destroyed; and, "by false slanders upon your parliament, and "malicious and unjust accusations, have endea- "voured to begin the like massacre here; and "being, through God's blessing, therein disap- "pointed, have, as the most mischievous and "bloody design of all, drawn your majesty to make "war against your parliament, and good subjects

" of this kingdom, leading in your person an army
" against them, as if you intended, by conquest, to
" establish an absolute and unlimited power over
" them; and by your power, and the countenance
" of your presence, you have ransacked, spoiled,
" imprisoned, and murdered divers of your people;
" and, for their better assistance in their wicked
" designs, do seek to bring over the rebels of Ire-
" land, and other forces, beyond the seas, to join
" with them.

" And we, finding ourselves utterly deprived of
" your majesty's protection, and the authors, coun-
" sellors, and abettors of these mischiefs in greatest
" power and favour with your majesty, and de-
" fended by you against the justice and authority
" of your high court of parliament; whereby they
" are grown to that height and insolence, as to
" manifest their rage and malice against those of
" the nobility, and others, who are any whit inclin-
" able to peace, not without great appearance of
" danger to your own royal person, if you shall not
" in all things concur with their wicked and trai-
" torous courses; have, for the just and necessary
" defence of the protestant religion, of your ma-
" jesty's person, crown, and dignity, of the laws
" and liberties of the kingdom, and the privileges
" and power of parliament, taken up arms, and
" appointed and authorized Robert earl of Essex to
" be captain general of all the forces by us raised,
" and to lead and conduct the same against these
" rebels and traitors, and them to subdue, and bring
" to condign punishment; and do most humbly
" beseech your majesty to withdraw your royal pre-
" sence and countenance from those wicked per-

" sons; and, if they shall stand out in defence of " their rebellious and unlawful attempts, that your " majesty will leave them to be suppressed by that " power, which we have sent against them; and " that your majesty will not mix your own dangers " with theirs, but in peace and safety, without your " forces, forthwith return to your parliament; and, " by their faithful counsel and advice, compose the " present distempers and confusions abounding in " both your kingdoms; and provide for the security " and honour of yourself and your royal posterity, " and the prosperous estate of all your subjects; " wherein if your majesty please to yield to our " most humble and earnest desires, we do, in the " presence of Almighty God, profess, that we will " receive your majesty with all honour, yield you " all due obedience and subjection, and faithfully " endeavour to secure your person and estate from " all dangers; and, to the uttermost of our power, " to procure and establish to yourself, and to your " people, all the blessings of a glorious and happy " reign."

Then, that it might appear they were nothing jealous or apprehensive of the people's defection and revolt from them, whereas before they had made the general desire of the kingdom the ground and argument for whatsoever they had done, and had only invited men to contribute freely what they thought fit to the charge in hand, without compelling any who were unwilling; they now took notice not only of those who opposed their proceedings, or privately dissuaded other men from concurring with them, but of those, who either out of fear, or covetousness, or both, had neglected really to con-

tribute; and therefore they boldly published their votes, (which were laws to the people, or of much more authority,) "That all such persons, as should 'not contribute to the charge of the common-"wealth, in that time of eminent necessity, should "be disarmed and secured;" and that this vote might be the more terrible, they ordered, the same day, the mayor and sheriffs of London, "to search "the houses, and seize the arms belonging to some "aldermen, and other principal substantial citizens "of London," whom they named in their order; "for that it appeared by the report from their "committee, that they had not contributed, as "they ought, to the charge of the common-"wealth."

And by this means the poorest and lowest of the people became informers against the richest and most substantial; and the result of searching the houses and seizing the arms was, the taking away plate, and things of the greatest value, and very frequently plundering whatsoever was worth the keeping. They farther appointed, "that the "fines, rents, and profits of archbishops, bishops, "deans, deans and chapters, and of all delinquents, "who had taken up arms against the parliament, "or had been active in the commission of array, "should be sequestered for the use and benefit of "the commonwealth." And that the king might not fare better than his adherents, they directed "all his revenue, arising out of rents, fines in "courts of justice, composition for wards, and the "like, and all other his revenue, should be brought "into the several courts, and other places, where "they ought to be paid in, and not issued forth,

" or paid forth, until farther order should be taken " by both houses of parliament;" without so much as assigning him any part of his own, towards the support of his own person.

This stout invasion of the people's property, and compelling them to part with what was most precious to them, any part of their estates, was thought by many an unpolitic act, in the morning of their sovereignty, and that it would wonderfully have irreconciled their new subjects to them. But the conductors well understood, that their empire already depended more on the fear, than love of the people; and that as they could carry on the war only by having money enough to pay the soldiers, so, that whilst they had that, probably they should not want men to recruit their armies upon any misadventure.

It cannot be imagined, how great advantage the king received by the parliament's rejecting the king's messages for peace, and their manner in doing it. All men's mouths were opened against them, the messages and answers being read in all churches; they, who could not serve him in their persons, contrived ways to supply him with money. Some eminent governors in the universities gave him notice that all the colleges were very plentifully supplied with plate, which would amount to a good value, and lay useless in their treasuries, there being enough besides for their common use; and there was not the least doubt, but that whensoever his majesty should think fit to require that treasure, it would all be sent to him. Of this the king had long thought, and, when he was at Nottingham, in that melancholic season, two gentlemen were des-

patched away to Oxford, and to Cambridge, (two to each,) with letters to the several vice-chancellors, that they should move the heads and principals of the several colleges and halls, that they would send their plate to the king; private advertisements being first sent to some confident persons to prepare and dispose those, without whose consent the service could not be performed.

This whole affair was transacted with so great secrecy and discretion, that the messengers returned from the two universities, in as short a time as such a journey could well be made; and brought with them all, or very near all, their plate, and a considerable sum of money, which was sent as a present to his majesty from several of the heads of colleges, out of their own particular stores; some scholars coming with it, and helping to procure horses and carts for the service; all which came safe to Nottingham, at the time when there appeared no more expectation of a treaty, and contributed much to raising the dejected spirits of the place. The plate was presently weighed out, and delivered to the several officers, who were intrusted to make levies of horse and foot, and who received it as money; the rest was carefully preserved to be carried with the king, when he should remove from thence; secret orders being sent to the officers of the mint, to be ready to come to his majesty as soon as he should require them; which he meant to do, as soon as he should find himself in a place convenient. There was now no more complaining or murmuring. Some gentlemen undertook to make levies upon their own credit and interest, and

others sent money to the king upon their own inclinations.

There was a pleasant story, then much spoken of in the court, which administered some mirth. There were two great men who lived near Nottingham, both men of great fortunes and of great parsimony, and known to have much money lying by them, Pierrepoint, earl of Kingston, and Leake, lord Dencourt. To the former the lord Capel was sent; to the latter, John Ashburnham of the bedchamber, and of entire confidence with his master; each of them with a letter, all written with the king's hand, to borrow of each ten or five thousand pounds. Capel was very civilly received by the earl, and entertained as well as the ill accommodations in his house, and his manner of living, would admit. He expressed, with wonderful civil expressions of duty, "the great trouble he sustained, in "not being able to comply with his majesty's "commands:" he said, all men knew that he neither "had, nor could have money, because he had "every year, of ten or a dozen which were past, "purchased a thousand pounds land a year; and "therefore he could not be imagined to have any "money lying by him, which he never loved to "have. But, he said, he had a neighbour, who "lived within few miles of him, the lord Dencourt, "who was good for nothing, and lived like a hog, "not allowing himself necessaries, and who could "not have so little as twenty thousand pounds in "the scurvy house in which he lived;" and advised, "that he might be sent to, who could not "deny the having of money;" and concluded with

great duty to the king, and detestation of the parliament, and as if he meant to consider farther of the thing, and to endeavour to get some money for him; which though he did not remember to send, his affections were good, and he was afterwards killed in the king's service.

Ashburnham got no more money, nor half so many good words. The lord Dencourt had so little correspondence with the court, that he had never heard his name; and when he had read the king's letter, he asked from whom it was; and when he told him, "that he saw it was from the king," he replied, "that he was not such a fool as to believe "it. That he had received letters both from this "king and his father;" and hastily ran out of the room, and returned with half a dozen letters in his hand; saying, "that those were all the king's "letters, and that they always begun with *Right* "*trusty and well-beloved*, and the king's name was "ever at the top; but this letter begun with *Den-* "*court*, and ended with *your loving friend C. R.*, "which, he said, he was sure could not be the "king's hand." His other treatment was according to this, and, after an ill supper, he was shewed an indifferent bed; the lord telling him, "that he "would confer more of the matter in the morn- "ing;" he having sent his servant with a letter to the lord Falkland, who was his wife's nephew, and who had scarce ever seen his uncle. The man came to Nottingham about midnight, and found my lord Falkland in his bed. The letter was to tell him, "that one Ashburnham was with him, "who brought him a letter, which he said was "from the king; but he knew that could not be;

" and therefore he desired to know, who this man " was, whom he kept in his house till the messen- " ger should return." In spite of the laughter, which could not be forborne, the lord Falkland made haste to inform him of the condition and quality of the person, and that the letter was writ with the king's own hand, which he seldom vouch- safed to do. And the messenger returning early the next morning, his lordship treated Mr. Ash- burnham with so different a respect, that he, who knew nothing of the cause, believed that he should return with all the money that was desired. But it was not long before he was undeceived. The lord, with as cheerful a countenance as his could be, for he had a very unusual and unpleasant face, told him, " that though he had no money himself, " but was in extreme want of it, he would tell him " where he might have money enough; that he " had a neighbour, who lived within four or five " miles, the earl of Kingston, that never did good " to any body, and loved nobody but himself, who " had a world of money, and could furnish the " king with as much as he had need of; and if he " should deny that he had money when the king " sent to him, he knew where he had one trunk " full, and would discover it; and that he was so " ill beloved, and had so few friends, that nobody " would care how the king used him." And this good counsel was all Mr. Ashburnham could make of him: and yet this wretched man was so far from wishing well to the parliament, that when they had prevailed, and were possessed of the whole kingdom, as well as of Nottinghamshire, he would not give them one penny; nor compound

for his delinquency, as they made the having lived in the king's quarters to be; but suffered his whole estate to be sequestered, and lived in a very miserable fashion, only by what he could ravish from his tenants; who, though they paid their rents to the parliament, were forced by his rage and threats to part with so much as kept him, till he died, in that condition he chose to live in: his conscience being powerful enough to deny himself, though it could not dispose him to grant to the king. And thus the two messengers returned to the king, so near the same time, that he who came first had not given his account to the king, before the other entered into his presence.

The same day, Mr. Sacheverel, who was a gentleman, and known to be very rich, being pressed to lend the king five hundred pounds, sent him a present of one hundred pieces in gold; "which," he said, "he had procured with great difficulty;" and protested, with many execrable imprecations, "that he had never in his life seen five hundred "pounds of his own together;" when, within one month after the king's departure, the parliament troops, which borrowed in another style, took five thousand pounds from him, which was lodged with him, in the chamber in which he lay. Which is therefore mentioned in this place, that upon this occasion it may be seen, that the unthrifty retention of their money, which possessed the spirits of those, who did really wish the king all the success he wished for himself, was the unhappy promotion of all his misfortunes: and if they had, in the beginning, but lent the king the fifth part of what, after infinite losses, they found necessary to sacri-

fice to his enemies, in the conclusion, to preserve themselves from total ruin, his majesty had been able, with God's blessing, to have preserved them, and to have destroyed all his enemies.

The news of the important victory before Worcester found the king at Chester, whither his majesty thought necessary to make a journey himself, as soon as he came to Shrewsbury, both to assure that city to his service, which was the key to Ireland, and to countenance the lord Strange (who, by the death of his father, became within few days earl of Derby) against some opposition he met with, on the behalf of the parliament. Here Crane, sent by prince Rupert, gave his majesty an account of that action; and presented him with the ensigns, which had been taken; and informed him of the earl of Essex's being in Worcester; which made the king to return sooner to Shrewsbury than he intended, and before the earl of Derby was possessed of that power, which a little longer stay would have given him.

Prince Rupert the same night, after his victory, finding the gross of the rebels' army to be within five or six miles, against which that city was in no degree tenable, though all the king's foot had been there, retired from Worcester on the Welsh side of the river, without any disturbance, and with all his prisoners, (colonel Sandys only excepted, whom he charitably left to die of his wounds there,) into his quarters near Shrewsbury; the earl of Essex being so much startled with his late defeat, that he advanced not in two days after; and then being surely informed, that he should find no resistance, he entered with his army into Worcester; using great

severity to those citizens, who had been eminently inclined to the king's service, and sending the principal of them prisoners to London.

Upon the king's coming to Shrewsbury, there was a very great conflux of the gentry of that and the neighbouring [counties,] which were generally well affected, and made great professions of duty to his majesty: some of them undertook to make levies of horse and foot, and performed it at their own charge. The town was very commodious in all respects, strong in its situation; and in respect of its neighbourhood to North Wales, and the use of the Severn, yielded excellent provisions of all kinds; so that both court and army were very well accommodated, only the incurable disease of want of money could not be assuaged in either. Yet whilst they sat still, it was not very sensible, much less importunate. The soldiers behaved themselves orderly, and the people were not inclined or provoked to complain of their new guests; and the remainder of the plate, which was brought from the universities, together with the small presents in money, which were made to the king by many particular persons, supplied the present necessary expenses very conveniently. But it was easily discerned, that, when the army should move, which the king resolved it should do with all possible expedition, the necessity of money would be very great, and the train of artillery, which is commonly a spunge that can never be filled or satisfied, was destitute of all things which were necessary for motion. Nor was there any hope that it could march, till a good sum of money were assigned to it; some carriage-horses, and waggons, which were

prepared for the service of Ireland, and lay ready at Chester, to be transported with the earl of Leicester, lieutenant of that kingdom, were brought to Shrewsbury, by his majesty's order, for his own train: and the earl's passionate labouring to prevent or remedy that application, with some other reasons, hindered the earl himself from pursuing that journey; and, in the end, deprived him of that province. But this seasonable addition to the train increased the necessity of money, there being more use of it thereby.

Two expedients were found to make such a competent provision for all wants, that they were at last broken through. Some person of that inclination had insinuated to the king, that, "if the ca-"tholics, which that and the adjacent counties "were well inhabited by, were secretly treated "with, a considerable sum of money might be "raised among them; but it must be carried "with great privacy, that no notice might be taken "of it, the parliament having declared so great "animosity against them;" nor did it in that conjuncture concern the king less that it should be very secret, to avoid the scandal of a close conjunction with the papists, which was every day imputed to him. Upon many consultations how, and in what method, to carry on this design, the king was informed, "that if he would depute a person, much "trusted by him, [Mr. Hyde,] to that service, the "Roman catholics would trust him, and assign "one or two of their body to confer with him, and "by this means the work might be carried on." Hereupon the king sent for that person, and told him this whole matter, as it is here set down, and

required him to consult with such a person, whom he would send to him the next morning. He was surprised with the information, that that classis of men had made choice of him for their trust, for which he could imagine no reason, but that he had been often of counsel with some persons of quality of that profession, who yet knew very well, that he was in no degree inclined to their persuasion; he submitted to the king's pleasure, and the next morning a person of quality, and very much trusted by all that party, came to him to confer upon that subject; and shewed a list of the names of all the gentlemen of quality and fortune of that religion, and who were all convict recusants, and who lived within those counties of Shropshire and Stafford; who appeared to be a good number of very valuable men, on whose behalf he had only authority to conclude, though he believed that the method, they agreed on there, would be submitted to, and confirmed by that people in all other places. He said, "they would by no means hearken to any "motion for the loan of money, for which they "had paid so dear, upon their serving the king in "that manner, in his first expedition against the "Scots." It was in the end agreed upon, that the king should write to every one of them to pay him an advance of two or three years of such rent, as they were every year obliged to pay to him, upon the composition they had made with him for their estates; which would amount to a considerable sum of money; which letters were accordingly writ, and within ten or twelve days between four and five thousand pounds were returned to his

majesty; which was a seasonable supply for his affairs.

At his return to Shrewsbury, the king found as much done towards his march, as he expected. And then the other expedient (which was hinted before) for money offered itself. There was a gentleman of a very good extraction, and of the best estate of any gentleman of that country, one sir Richard Newport, who lived within four or five miles of Shrewsbury, and who was looked upon as a very prudent man, and had a very powerful influence upon that people, and was of undoubted affections and loyalty to the king, and to the government both in church and state: his eldest son, Francis Newport, was a young gentleman of great expectation, and of excellent parts, a member of the house of commons, who had behaved himself there very well. This gentleman intimated to a friend of his, "that, if his father might be made "a baron, he did believe he might be prevailed "with to present his majesty with a good sum of "money." It was proposed to the king, who had no mind to embrace the proposition, his majesty taking occasion often to speak against "making "merchandise of honour; how much the crown "suffered at present by the license of that kind, "which had been used during the favour of the "duke of Buckingham; and that he had not taken "a firmer resolution against many things, than "against this particular expedient for the raising "money." However, after he returned from Chester, and found by the increase of his levies, and the good disposition all things were in, that he

might in a short time be able to march, and in so good a condition, that he should rather seek the rebels, than decline meeting with them, if the indispensable want of money did not make his motion impossible; the merit and ability of the person, and the fair expectation from his posterity, he having two sons, both very hopeful, prevailed with his majesty to resume the same overture; and in few days it was perfected, and sir Ri. Newport was made baron Newport of Ercall; who presented the sum of six thousand pounds to his majesty; whereupon all preparations for the army were prosecuted with effect.

As soon as the king came to Shrewsbury, he had despatched his letters and agents into Wales, Cheshire, and Lancashire, to quicken the levies of men which were making there, and finding that the parliament had been very solicitous and active in those counties of Cheshire and Lancashire, and that many of the gentry of those populous shires were deeply engaged in their service, and the loyal party so much depressed, that the house of commons had sent up an impeachment of high treason against the lord Strange, who being son and heir apparent of the earl of Derby, and possessed of all his father's fortune in present, was then looked upon as of absolute power over that people, and accused him, that he had, with an intent and purpose to subvert the fundamental laws and government of the kingdom of England, and the rights and liberties, and the very being of parliaments, and to set sedition between the king and his people at Manchester of Lancaster, and at several other places, actually, maliciously, rebelliously, and trai-

torously summoned and called together great numbers of his majesty's subjects; and invited, persuaded, and encouraged them to take up arms, and levy war against the king, parliament, and kingdom. That he had, in a hostile manner, invaded the kingdom, and killed, hurt, and wounded divers of his majesty's subjects; had set sedition betwixt the king and the people, and then was in open and actual rebellion against the king, parliament, and kingdom. And upon this impeachment a formal order passed both houses, (which was industriously published, and read in many churches of those counties,) declaring his treason, and requiring all persons to apprehend him; whereby not only the common people, who had obeyed his warrants, but his lordship himself, (who had only executed the commission of array, and the seditious party at the same time executing the ordinance of militia, some blows had passed, whereof one or two had died,) were more than ordinarily dismayed. His majesty himself leaving his household and army at Shrewsbury, went in person with his troop of guards only to Chester, presuming that his presence would have the same influence there, it had had in all other places, to compose the fears and apprehensions of all honest men, and to drive away the rest; which fell out accordingly: for being received and entertained with all demonstrations of duty by the city of Chester, those who had been most notably instrumental to the parliament, withdrew themselves, and the nobility and gentry, and indeed the common people, flocked to him; the former in very good equipage, and the latter with great expressions of devotion: yet in Cheshire

Nantwich, and Manchester in Lancashire, made some shows by fortifying, and seditious discourses of resistance and disaffection, and into those two places the seditious persons had retired themselves. To the first, the lord Grandison was sent with a regiment of horse and some few dragooners, with the which, and his dexterous taking advantage of the people's first apprehensions, before they could take advice what to do, he so awed that town, that after one unskilful volley, they threw down their arms, and he entered the town, took the submission and oaths of the inhabitants for their future obedience; and having caused the small works to be slighted, and all the arms and ammunition to be sent to Shrewsbury, he returned to his majesty. For Manchester, the lord Strange, who had by his majesty's favour and encouragement recovered his spirits, undertook, without troubling his majesty farther northward, in a very short time to reduce that place, (which was not so fortunately performed, because not so resolutely pursued,) and to send a good body of foot to the king to Shrewsbury. So that his majesty, within a week, leaving all parts behind him full of good inclinations or professions, returned through the north part of Wales (where he found the people cordial to him, and arming themselves for him) to Shrewsbury. The king's custom was in all counties, through which he passed, to cause the high sheriff to draw all the gentlemen and the most substantial inhabitants of those parts together, to whom (besides his caressing the principal gentlemen severally, familiarly, and very obligingly) he always spake something publicly, (which was afterwards printed,) telling them,

" That it was a benefit to him from the inso-
" lences and misfortunes, which had driven him
" about, that they had brought him to so good a
" part of his kingdom, and to so faithful a part of
" his people. He hoped, neither they nor he
" should repent their coming together. He would
" do his part, that they might not; and of them
" he was confident before he came." He told them,
" the residence of an army was not usually plea-
" sant to any place; and his might carry more fear
" with it, since it might be thought, (being robbed,
" and spoiled of all his own, and such terror used
" to fright and keep all men from supplying him,)
" he must only live upon the aid and relief of his
" people." But he bid them "not be afraid;" and said, " he wished to God, his poor subjects suffered
" no more by the insolence and violence of that
" army raised against him, though they had made
" themselves wanton with plenty, than they should
" do by his; and yet he feared he should not be
" able to prevent all disorders; he would do his
" best; and promised them, no man should be a
" loser by him, if he could help it." He said, "he
" had sent for a mint, and would melt down all his
" own plate, and expose all his land to sale, or
" mortgage, that if it were possible, he might
" bring the least pressure upon them." However, he invited them " to do that for him, and them-
" selves, for the maintenance of their religion, and
" the law of the land, (by which they enjoyed all
" that they had,) which other men did against
" them;" he desired them, " not to suffer so good
" a cause to be lost, for want of supplying him
" with that, which would be taken from them, by

" those who pursued his majesty with that vio-
" lence. And whilst those ill men sacrificed their
" money, plate, and utmost industry, to destroy
" the commonwealth, they would be no less liberal
" to preserve it. He bade them assure themselves,
" if it pleased God to bless him with success, he
" would remember the assistance every particular
" man gave him to his advantage. However it
" would hereafter (how furiously soever the minds
" of men were now possessed) be honour and com-
" fort to them, that, with some charge and trouble
" to themselves, they had done their part to support
" their king, and preserve the kingdom."

His majesty always took notice of any particular reports, which, either with reference to the public, or their private concerns, might make impression upon that people, and gave clear answers to them. So that with this gracious and princely demeanour, it is hardly credible how much he won upon the people; so that not only his army daily increased by volunteers, (for there was not a man pressed,) but such proportions of plate and money were voluntarily brought in, that the army was fully and constantly paid: the king having erected a mint at Shrewsbury, more for reputation than use, (for, for want of workmen and instruments, they could not coin a thousand pounds a week,) and causing all his own plate, for the service of his household, to be delivered there, made other men think, theirs was the less worth the preserving.

Shortly after the earl of Essex came to Worcester, he sent a gentleman (one Fleetwood, the same who had afterwards so great power in the army, though then a trooper in his guards) to Shrews-

bury, without a trumpet, or any other ceremony than a letter to the earl of Dorset; in which he said, "he was appointed by the parliament, to "cause a petition, then in his hands, to be pre- "sented to his majesty; and therefore desired his "lordship to know his majesty's pleasure, when he "would be pleased to receive it from such persons, "as he should send over with it." The earl of Dorset (by his majesty's command, after it had been debated in council what answer to return) sent him word in writing, "that the king had "always been, and would be still, ready to receive "any petition from his two houses of parliament; "and if his lordship had any such to be presented, "if he sent it by any persons, who stood not per- "sonally accused by him of high treason, and "excepted specially in all offers of pardon made "by him, the person who brought it should be "welcome; and the king would return such an "answer to it, as should be agreeable to honour "and justice." Whether this limitation as to messengers displeased them, (as it was afterwards said, that the messengers appointed to have delivered it were the lord Mandeville and Mr. Hambden, who, they thought, would have skill to make infusions into many persons then about his majesty; and their access being barred by that limitation and exception, they would not send any other,) or what other reason soever there was, the king heard no more of this petition, or any address of that nature, till he found, by some new printed votes and declarations, "that he was guilty of another breach "of the privilege of parliament, for having refused "to receive their petition, except it were presented

" in such manner as he prescribed: whereas they " alone were judges in what manner, and by what " persons, their own petitions should be delivered, " and he ought so to receive them." And so that petition, which is before set down in the very terms it passed both houses, was never delivered to his majesty.

There cannot be too often mention of the wonderful providence of God, that from that low despised condition the king was in at Nottingham, after the setting up his standard, he should be able to get men, money, or arms, and yet within twenty days after his coming to Shrewsbury, he resolved to march, in despite of the enemy, even towards London; his foot, by this time, consisting of about six thousand; and his horse of two thousand; his train in very good order, commanded by sir John Heydon. And though this strength was much inferior to the enemy, yet as it was greater than any man thought possible to be raised, so all thought it sufficient to encounter the rebels. Besides that it was confidently believed, (and not without some grounds of correspondence with some officers in the other army,) that, as soon as the armies came within any reasonable distance of each other, very many soldiers would leave their colours, and come to the king; which expectation was confirmed by some soldiers, who every day dropped in from those forces; and, to make themselves welcome, told many stories of their fellows' resolutions, whom they had left behind.

And this must be confessed, that either by the care and diligence of the officers, or by the good inclinations and temper of the soldiers themselves,

the army was in so good order and discipline, that, during the king's stay at Shrewsbury, there was not a disorder of name, the country being very kind to the soldiers, and the soldiers just, and regardful to the country. And by the free loans and contributions of the gentlemen and substantial inhabitants, but especially by the assistance of the nobility, who attended, the army was so well paid, that there was not the least mutiny or discontent for want of pay; nor was there any cause; for they seldom failed every week, never went above a fortnight unpaid.

The greatest difficulty was to provide arms; of which indeed there was a wonderful scarcity, the king being exceedingly disappointed in his expectation of arms from Holland; a vessel or two having been taken by his own ships, under the command of the earl of Warwick; so that, except eight hundred muskets, five hundred pair of pistols, and two hundred swords, which came with the powder, which was landed in Yorkshire, as is before mentioned, the king had none in his magazine; so that he was compelled to begin at Nottingham, and so in all places as he passed, to borrow the arms from the trained bands; which was done with so much wariness and caution, (albeit it was known that those arms would, being left in those hands, be employed against him, or at least be of no use to him,) that it was done rather with their consent, than by any constraint, and always with the full approbation of their commanders. And therefore in Yorkshire and Shropshire, where the gentlemen very unskilfully, though with good meaning, desired that the arms might still be left in the country men's hands,

there was none of that kind of borrowing. But, in all places, the noblemen, and gentlemen of quality, sent the king such supplies of arms, out of their own armories, (which were very mean,) so that by all these means together, the foot, all but three or four hundred, who marched without any weapon but a cudgel, were armed with muskets, and bags for their powder, and pikes; but, in the whole body, there was not one pikeman had a corslet, and very few musketeers who had swords. Among the horse, the officers had their full desire, if they were able to procure old backs, and breasts, and pots with pistols, or carabines, for their two or three first ranks, and swords for the rest; themselves (and some soldiers by their examples) having gotten, besides their pistols and swords, a short poleaxe.

The foot were divided into three brigades; the first commanded by sir Nicholas Byron, the second by colonel Harry Wentworth, and the third by colonel Richard Fielding, sir Jacob Ashley being major general, and commanding the foot immediately under the general. For, though general Ruthen, who came to the king some few days before he left Shrewsbury, was made field marshal, yet he kept wholly with the horse to assist prince Rupert: and sir Arthur Aston, of whose soldiery there was then a very great esteem, was made colonel general of the dragoons; which at that time, though consisting of two or three regiments, were not above eight hundred, or a thousand at the most. Most of the persons of honour and quality, except those whose attendance was near the king's own person, put themselves into the

king's troop of guards, commanded by the lord Bernard Stewart; and made indeed so gallant a body, that, upon a very modest computation, the estate and revenue of that single troop might justly be valued at least equal to all theirs, who then voted in both houses, under the name of the lords and commons of parliament, and so made and maintained that war. Their servants, under the command of sir William Killigrew, made another full troop, and always marched with their lords and masters.

In this equipage the king marched from Shrewsbury, on the twelfth of October, to Bridgenorth, never less baggage attending a royal army, there being not one tent, and very few waggons belonging to the whole train; having in his whole army not one officer of the field who was a papist, except sir Arthur Aston, if he were one; and very few common soldiers of that religion. However the parliament, in all their declarations, and their clergy much more in their sermons, assured the people, "that the king's army consisted only of "papists," whilst themselves entertained all of that religion, that they could get; and very many, both officers and soldiers, of that religion engaged with them; whether it was that they really believed, that that army did desire liberty of conscience for all religions, as some of the chief of them pretended, or that they desired to divide themselves for communication of intelligence, and interest. And here it is not fit to forget one particular, that, when the committee of parliament appointed to advance the service upon the proposition for plate, and horses, in the county of Suffolk, sent word to

the house of commons, " that some papists offered " to lend money upon those propositions, and de- " sired advice whether they should accept of it," it was answered, " that if they offered any con- " siderable sum, whereby it might be conceived to " proceed from a real affection to the parliament, " and not out of policy to bring themselves within " their protection, and so to excuse their delin- " quency, it should be accepted of."

When the king was ready for his march, there was some difference of opinion which way he should take; many were of opinion that he should march towards Worcester, where the earl of Essex still remained; those countries were thought well-affected to the king; where his army would be supplied with provisions, and increased in numbers; and that no time should be lost in coming to a battle; because the longer it was deferred, the stronger the earl would grow, by the supplies which were every day sent to him from London; and he had store of arms with him to supply all defects of that kind. However it was thought more counsellable to march directly towards London, it being morally sure, that the earl of Essex would put himself in their way. The king had much confidence in his horse, (his nephew prince Rupert being in the head of them,) which were fleshed by their success at Worcester; and if he had made his march that way, he would have been entangled in the enclosures, where his horse would have been less useful; whereas there were many great campanias near the other way, much fitter for an engagement. And so, about the middle of

October, the king marched from Shrewsbury, and quartered that night at Bridgenorth, ten miles from the other place, where there was a rendezvous of the whole army, which appeared very cheerful; and so to Wolverhampton, Bromicham, and Killingworth, a house of the king's, and a very noble seat, where the king rested one day; where the lord chief justice Heath, who was made chief justice for that purpose, (Bramston, a man of great learning and integrity, being, without any purpose of disfavour, removed from that office, because he stood bound by recognizance to attend the parliament, upon an accusation depending there against him,) began to sit upon a commission of oyer and terminer, to attaint the earl of Essex, and many other persons who were in rebellion, of high treason.

Some days had passed without any notice of that army; some reporting that it remained still at Worcester; others, that they were marched the direct way from thence towards London. But intelligence came from London, "that very many "officers of name, and command in the parlia- "ment army, [had] undergone that service with "a full resolution to come to the king as soon "as they were within any distance; and it was "wished, that the king would send a proclamation "into the army itself, and to offer pardon to all "who would return to their obedience." And a proclamation was prepared accordingly, and all circumstances resolved upon, that a herald should be sent to proclaim it in the head of the earl's army, when it should be drawn up in battle. But that, and many other particulars, prepared and re-

solved upon, were forgotten, or omitted at the time appointed, which would not admit any of those formalities.

When the whole army marched together, there was quickly discovered an unhappy jealousy, and division between the principal officers, which grew quickly into a perfect faction between the foot and the horse. The earl of Lindsey was general of the whole army by his commission, and thought very equal to it. But when prince Rupert came to the king, which was after the standard was set up, and received a commission to be general of the horse, which, all men knew, was designed for him, there was a clause inserted into it, which exempted him from receiving orders from any body but from the king himself; which, upon the matter, separated all the horse from any dependence upon the general, and had other ill consequences in it: for when the king at midnight, being in his bed, and receiving intelligence of the enemy's motion, commanded the lord Falkland, his principal secretary of state, to direct prince Rupert, what he should do, he took it very ill, and expostulated with the lord Falkland, for giving him orders. But he could not have directed his passion against any man, who would feel or regard it less. And he told him, "that it was "his office to signify what the king bad him; which "he should always do; and that he, in neglecting it, "neglected the king;" who did neither the prince nor his own service any good, by complying in the beginning with his rough nature, which rendered him very ungracious to all men. But the king was so indulgent to him, that he took his advice in all things relating to the army, and so upon con-

sideration of their march, and the figure of the battle they resolved to fight in with the enemy, he concurred entirely with prince Rupert's advice, and rejected the opinion of the general, who preferred the order he had learned under prince Maurice, and prince Harry, with whom he had served at the same time, when the earl of Essex and he had both regiments. The uneasiness of the prince's nature, and the little education he had in courts, made him unapt to make acquaintance with any of the lords, who were likewise thereby discouraged from applying themselves to him; whilst some officers of the horse were well pleased to observe that strangeness, and fomented it; believing their credit would be the greater with the prince, and desired that no other person should have any credit with the king. So the war was scarce begun, when there appeared such faction and designs in the army, which wise men looked upon as a very evil presages; and the inconveniences, which flowed from thence, gave the king great trouble in a short time after.

Within two days after the king marched from Shrewsbury, the earl of Essex moved from Worcester to attend him, with an army far superior in number to the king's; the horse and foot being completely armed, and the men very well exercised, and the whole equipage (being supplied out of the king's magazines) suitable to an army set forth at the charge of a kingdom. The earl of Bedford had the name of general of the horse, though that command principally depended upon sir William Balfour. Of the nobility he had with him the lords Kimbolton, Saint-John's, Wharton, Roberts, Rochford, and Fielding, (whose fathers, the earls

of Dover, and Denbigh, charged as volunteers in the king's guards of horse,) and many gentlemen of quality; but his train was so very great, that he could move but in slow marches. So that the two armies, though they were but twenty miles asunder, when they first set forth, and both marched the same way, they gave not the least disquiet in ten days' march to each other; and in truth, as it appeared afterwards, neither army knew where the other was.

The king by quick marches, having seldom rested a day in any place, came, on Saturday the twenty-second of October, to Edgcot, a village in Northamptonshire, within four miles of Banbury, in which the rebels had a very strong garrison. As soon as he came thither, he called a council of war, and having no intelligence that the earl of Essex was within any distance, it was resolved "the king and the army should rest in those quar-"ters the next day, only that sir Nicholas Byron "should march with his brigade, and attempt the "taking in of Banbury." And with this resolution the council brake up, and all men went to their quarters, which were at a great distance, without any apprehension of an enemy. But that night, about twelve of the clock, prince Rupert sent the king word, "that the body of the rebels' army was "within seven or eight miles, and that the head "quarter was at a village called Keinton on the "edge of Warwickshire; and that it would be in "his majesty's power, if he thought fit, to fight a "battle the next day;" which his majesty liked well, and therefore immediately despatched orders to cross the design for Banbury, "and that the

" whole army should draw to a rendezvous on the " top of Edge-hill;" which was a very high hill about two miles from Keinton, where the head-quarters of the earl was, and which had a clear prospect of all that valley.

In the morning, being Sunday the twenty-third of October, when the rebels were beginning their march, (for they suspected not the king's forces to be near,) they perceived a fair body of horse on the top of that hill, and easily concluded their march was not then to be far. It is certain they were exceedingly surprised, having never had any other confidence of their men, than by the disparity they concluded would be still between their numbers and the king's, the which they found themselves now deceived in. For two of their strongest and best regiments of foot, and one regiment of horse, was a day's march behind with their ammunition. So that, though they were still superior in number, yet that difference was not so great as they promised themselves. However, it cannot be denied that the earl, with great dexterity, performed whatsoever could be expected from a wise general. He chose that ground which best liked him. There was between the hill and the town a fair campaign, save that near the town it was narrower, and on the right hand some hedges, and inclosures: so that there he placed musketeers, and not above two regiments of horse, where the ground was narrowest; but on his left wing he placed a body of a thousand horse, commanded by one Ramsey a Scotsman; the reserve of horse, which was a good one, was commanded by the earl of Bedford, general of their horse, and sir William Balfour

with him. The general himself was with the foot, which were ordered as much to advantage as might be. And in this posture they stood from eight of the clock in the morning.

On the other side, though prince Rupert was early in the morning with the greatest part of the horse on the top of the hill, which gave the first alarm of the necessity of fighting to the other party, yet the foot were quartered at so great a distance, that many regiments marched seven or eight miles to the rendezvous: so that it was past one of the clock, before the king's forces marched down the hill; the general himself alighted at the head of his own regiment of foot, his son the lord Willoughby being next to him, with the king's regiment of guards, in which was the king's standard, carried by sir Edmund Verney, knight marshal. The king's right wing of horse was commanded by prince Rupert, the left wing by Mr. Wilmot, commissary general of the horse, who was assisted by sir Arthur Aston with most of the dragoons, because that left wing was opposed to the enemy's right, which had the shelter of some hedges lined with musketeers: and the reserve was committed to sir John Byron, and consisted indeed only of his own regiment. At the entrance into the field, the king's troop of guards, either provoked by some unseasonable scoffs among the soldiery, or out of desire of glory, or both, besought the king, "that "he would give them leave to be absent that day "from his person, and to charge in the front "among the horse;" the which his majesty consented to. They desired prince Rupert "to give "them that honour which belonged to them;"

who accordingly assigned them the first place; which, though they performed their parts with admirable courage, may well be reckoned among the oversights of that day.

It was near three of the clock in the afternoon, before the battle began; which, at that time of the year, was so late, that some were of opinion, "that the business should be deferred till the next "day." But against that there were many objections; "the king's numbers could not increase, the "enemy's might;" for they had not only their garrisons, Warwick, Coventry, and Banbury, within distance, but all that country so devoted to them, that they had all provisions brought to them without the least trouble; whereas, on the other side, the people were so disaffected to the king's party, that they had carried away, or hid, all their provisions, insomuch as there was neither meat for man or horse; and the very smiths hid themselves, that they might not be compelled to shoe horses, of which in those stony ways there was great need. This proceeded not from any radical malice, or disaffection to the king's cause, or his person; though it is true, that circuit in which this battle was fought, being very much between the dominions of the lord Say and the lord Brooke, was the most eminently corrupted of any county in England; but by the reports, and infusions which the other very diligent party had wrought into the people's belief; "that the cavaliers were of a "fierce, bloody, and licentious disposition, and "that they committed all manner of cruelty upon "the inhabitants of those places where they came, "of which robbery was the least;" so that the

poor people thought there was no other way to preserve their goods, than by hiding them out of the way; which was confessed by them, when they found how much that information had wronged them, by making them so injurious to their friends. And therefore where the army found much better entertainment at parting, than when they came; for [redacted] not be denied, that there was no person of honour or quality, who paid not punctually and exactly for what they had; and there was not the least violence or disorder among the common soldiers in their march, which scaped exemplary punishment; so that at Bromicham, a town so generally wicked, that it had risen upon small parties of the king's, and killed or taken them prisoners, and sent them to Coventry, declaring a more peremptory malice to his majesty than any other place, two soldiers were executed, for having taken some small trifle of no value out of a house, whose owner was at that time in the rebels' army. So strict was the discipline in this army; when the other, without control, practised all the dissoluteness imaginable. But the march was so fast, that the leaving a good reputation behind them, was no harbinger to provide for their better reception in the next quarters. So that their wants were so great, at the time when they came to Edge-hill, that there were very many companies of the common soldiers, who had scarce eaten bread in eight and forty hours before. The only way to cure this was a victory; and therefore the king gave the word, though it was late, the enemy keeping their ground to receive him without advancing at all.

In this hurry, there was an omission of somewhat, which the king intended to have executed before the beginning of the battle. He had caused many proclamations to be printed of pardon to all those soldiers who would lay down their arms, which he resolved, as is said before, to have sent by a herald to the earl of Essex, and to have found ways to have scattered and dispersed them in that army, as soon as he understood they were within any distance of him. But all men were now so much otherwise busied, that it was not soon enough remembered; and when it was, the proclamations were not at hand; which, by that which follows, might probably have produced a good effect. For as the right wing of the king's horse advanced to charge the left wing, which was the gross of the enemy's horse, sir Faithful Fortescue, (whose fortune and interest being in Ireland, he had come out of that kingdom to hasten supplies thither, and had a troop of horse raised for him for that service; but as many other of those forces were, so his troop was likewise disposed into that army, and he was now major to sir William Waller; he) with his whole troop advanced from the gross of their horse, and discharging all their pistols on the ground, within little more than carabine shot of his own body, presented himself and his troop to prince Rupert; and immediately, with his highness, charged the enemy. Whether this sudden accident, as it might very well, and the not knowing how many more were of the same mind, each man looking upon his companion with the same apprehension as upon the enemy, or whether the terror of prince Rupert, and the king's horse, or all together, with their

own evil consciences, wrought upon them, I know not, but that whole wing, having unskilfully discharged their carabines and pistols into the air, wheeled about, our horse charging in the flank and rear, and having thus absolutely routed thereof pursued them flying; and had the [illegible] them about two miles.

The left wing [illegible]anded by Mr. Wilmot, had as good success, though they were to charge in worse ground, among hedges, and through gaps and ditches, which were lined with musketeers. But sir Arthur Aston, with great courage and dexterity, beat off those musketeers with his dragoons; and then the right wing of their horse was as easily routed and dispersed as their left, and those followed the chase as furiously as the other. The reserve seeing none of the enemy's horse left, thought there was nothing more to be done, but to pursue those that fled; and could not be contained by their commanders; but with spurs, and loose reins, followed the chase, which their left wing had led them. And by this means, whilst most men thought the victory unquestionable, the king was in danger of the same fate which his predecessor Henry the Third felt at the battle of Lewes against his barons; when his son the prince, having routed their horse, followed the chase so far, that, before his return to the field, his father was taken prisoner; and so his victory served only to make the misfortunes of that day the more intolerable. For all the king's horse having thus left the field, many of them only following the execution, others intending the spoil in the town of Keinton, where all the baggage was, and the

earl of Essex's own coach, which was taken, and brought away; their reserve, commanded by sir William Balfour, moved up and down the field in good order, and marching towards the king's foot pretended to be friends, till observing no horse to be in readiness to charge them, [they] brake in upon the foot, and did great execution. There was the general the earl of Lindsey in the head of his regiment, being on foot, shot in the thigh; with which he fell, and was presently encompassed by the enemy; and his son, the lord Willoughby, piously endeavouring the rescue of his father, taken prisoner with him. Then was the standard taken, (sir Edmund Verney, who bore it, being killed,) but rescued again by captain John Smith, an officer of the lord Grandison's regiment of horse, and by him brought off. And if those horse had bestirred themselves, they might with little difficulty [have] destroyed, or taken prisoner, the king himself, and his two sons, the prince [of Wales] and the duke of York, being with fewer than one hundred horse, and those without officer or command, within half musket shot of that body, before he suspected them to be enemies.

When prince Rupert returned from the chase, he found this great alteration in the field, and his majesty himself with few noblemen, and a small retinue about him, and the hope of so glorious a day quite vanished. For though most of the officers of horse were returned, and that part of the field covered again with the loose troops, yet they could not be persuaded, or drawn to charge either the enemy's reserve of horse, which alone kept the field, or the body of their foot, which only

kept their ground. The officers pretending, "that "their soldiers were so dispersed, that there were "not ten of any troop together;" and the soldiers, "that their horses were so tired, that they could "not charge." But the truth is, where many soldiers of one troop or regiment were rallied together, there the officers were wanting; and where the officers were ready, there the soldiers were not together; and neither officers or soldiers desired to move without those who properly belonged to them. Things had now so ill an aspect, that many were of opinion, that the king should leave the field, though it was not easy to advise whither he should have gone; which if he had done, he had left an absolute victory to those, who even at this time thought themselves overcome. But the king was positive against that advice, well knowing, that as that army was raised by his person and presence only, so it could by no other means be kept together; and he thought it unprincely, to forsake them who had forsaken all they had to serve him: besides, he observed the other side looked not as if they thought themselves conquerors; for that reserve, which did so much mischief before, since the return of his horse, betook themselves to a fixed station between their foot, which at best could but be thought to stand their ground, which two brigades of the king's did with equal courage, and gave equal volleys; and therefore he tried all possible ways to get the horse to charge again; easily discerning by some little attempts which were made, what a notable impression a brisk one would have made upon the enemy. And when he saw it was not to be

done, he was content with their only standing still. Without doubt, if either party had known the constitution of the other, they had not parted so fairly; and, very probably, which soever had made a bold offer, had compassed his end upon his enemy. This made many believe, though the horse vaunted themselves aloud to have done their part, that the good fortune of the first part of the day, which well managed would have secured the rest, was to be imputed rather to their enemy's want of courage, than to their own virtue, (which, after so great a victory, could not so soon have forsaken them,) and to the sudden and unexpected revolt of sir Faithful Fortescue with a whole troop, no doubt much to the consternation of those he left; which had not so good fortune as they deserved; for by the negligence of not throwing away their orange-tawny scarfs, which they all wore as the earl of Essex's colours, and being immediately engaged in the charge, many of them, not fewer than seventeen or eighteen, were suddenly killed by those to whom they joined themselves.

In this doubt of all sides, the night, the common friend to wearied and dismayed armies, parted them; and then the king caused his cannon, which were nearest the enemy, to be drawn off; and with his whole forces himself spent the night in the field, by such a fire as could be made of the little wood, and bushes which grew thereabouts, unresolved what to do the next morning; many reporting, "that the enemy was gone:" but when the day appeared, the contrary was discovered; for then they were seen standing in the same

posture and place in which they fought, from whence the earl of Essex, wisely, never suffered them to stir all that night; presuming reasonably, that if they were drawn off never so little from that place, their numbers would lessen, and that many would run away; and therefore he caused all manner of provisions, [with] which the country supplied him plentifully, to be brought thither to them for their repast, and reposed himself with them in the place; besides, that night he received a great addition of strength, not only by rallying those horse and foot, which had run out of the field in the battle, but by the arrival of colonel Hambden, and colonel Grantham, with two thousand fresh foot, (which were reckoned among the best of the army,) and five hundred horse, which marched a day behind the army for the guard of their ammunition, and a great part of their train, not supposing there would have been any action that would have required their presence. All the advantage this seasonable recruit brought them, was to give their old men so much courage as to keep the field, which it was otherwise believed, they would hardly have been persuaded to have done. After a very cold night spent in the field, without any refreshment of victual, or provision for the soldiers, (for the country was so disaffected, that it not only not sent in provisions, but many soldiers, who straggled into the villages for relief, were knocked in the head by the common people,) the king found his troops very thin; for though, by conference with the officers, he might reasonably conclude, that there were not many slain in the battle, yet a third part of his foot were not upon

the place, and of the horse many missing; and they that were in the field were so tired with duty, and weakened with want of meat, and shrunk up with the cruel cold of the night, (for it was a terrible frost, and there was no shelter of either tree or hedge,) that though they had reason to believe, by the standing still of the enemy, whilst a small party of the king's horse, in the morning, to[o] [illegible] of their cannon very near them, away four pieces [illegible] that any offer toward[s] [illegible] towards them, [illegible] impression in them, [illegible] averseness from it in [illegible] diers, that the king [illegible] attempt; but contented himself [illegible] order, the body of horse facing the enemy upon the field where they had fought.

Towards noon the king resolved to try that expedient, which was prepared for the day before; and sent sir William le Neve, Clarencieux king at arms, to the enemy, with his proclamation of pardon to such as would lay down arms; believing, though he expected then little benefit by the proclamation, that he should, by that means, receive some advertisement of the condition of the army, and what prisoners they had taken, (for many persons of command and quality were wanting,) giving him order likewise to desire to speak with the earl of Lindsey, who was known to be in their hands. Before sir William came to the army, he was received by the out-guards, and conducted, with strictness, (that he might say or publish nothing amongst the soldiers, to the earl of Essex; who, when he offered to read

the proclamation aloud, and to deliver the effect of it, that he might be heard by those who were present, rebuked him, with some roughness, and charged him, "as he loved his life, not to "presume to speak a word to the soldiers;" and, after some few questions, sent him presently back well guarded through the army, without any answer at all. At his return he had so great and feeling a sense of the danger he had passed, that he made little [redacted] of numbers of the enemy. Only he seemed to have seen, or apprehended so much trouble and disorder in the faces of the earl of Essex, and the principal officers about him, and so much dejection in the common soldiers, that they looked like men who had no farther ambition, than to keep what they had left. He brought word of the death of the earl of Lindsey; who, being carried out of the field a prisoner, into a barn of the next village, for want of a surgeon, and such accommodations as were necessary, within few hours died with the loss of blood, his wound not being otherwise mortal or dangerous. This was imputed to the inhumanity of the earl of Essex, as if he had purposely neglected, or inhibited the performing any necessary offices to him, out of the insolence of his nature, and in revenge of some former unkindnesses, [which] had passed between them. But, I presume, it may be with more justice attributed to the hurry and distraction of that season, when, being so unsecure of their friends, they had no thoughts vacant for their enemies. For it is not to be denied at the time when the earl of Lindsey was taken prisoner, the earl of Essex thought himself in more danger; and

among his faults want of civility and courtesy was none.

The number of the slain, by the testimony of the minister, and others of the next parish, who took care for the burying of the dead, and which was the only computation that could be made, amounted to above five thousand; whereof two parts were conceived to be of those of the parliament party, and not above a third of the king's. Indeed the loss of both sides was very little [illegible] triumph appeared in either, that the victory could scarce be imputed to the one or the other. Yet the king's keeping the field, and having the spoil of it, by which many persons of quality, who had lain wounded in the field, were preserved, his pursuing afterwards the same design he had when he was diverted to the battle, and succeeding in it, (as shall be touched anon,) were greater ensigns of victory on that side, than the taking the general prisoner, and the taking the standard, which was likewise recovered, were on the other. Of the king's the principal persons, who were lost, were the earl of Lindsey, general of the army, the lord George Stewart, lord Aubigney, son to the duke of Lenox, and brother to the then duke of Richmond and Lenox, sir Edmund Verney, knight marshal of the king's horse, and standardbearer, and some others of less name, though of great virtue, and good quality.

The earl of Lindsey was a man of very noble extraction, and inherited a great fortune from his ancestors; which though he did not manage with so great care, as if he desired much to improve, yet he left it in a very fair condition to his family,

which more intended the increase of it. He was a man of great honour, and spent his youth and vigour of his age in military actions and commands abroad; and albeit he indulged to himself great liberties of life, yet he still preserved a very good reputation with all men, and a very great interest in his country, as appeared by the supplies he and his son brought to the king's army; the several companies of his own regiment of foot being commanded by the principal knights and gentlemen of Lincolnshire, who engaged themselves in the service principally out of their personal affection to him. He was of a very generous nature, and punctual in what he undertook, and in exacting what was due to him; which made him bear that restriction so heavily, which was put upon him by the commission granted to prince Rupert, and by the king's preferring the prince's opinion, in all matters relating to the war, before his. Nor did he conceal his resentment: the day before the battle, he said to some friends, with whom he had used freedom, "that he did not look upon himself as general; "and therefore he was resolved, when the day of "battle should come, that he would be in the head "of his regiment as a private colonel, where he "would die." He was carried out of the field to the next village; and if he could then have procured surgeons, it was thought his wound would not have proved mortal. And it was imputed to the earl of Essex's too well remembering former grudges, that he never sent any surgeon to him, nor performed any other offices of respect towards him; but it is most certain that the disorder the earl of Essex himself was in at that time, by the running

away of the horse, and the confusion he saw the army in, and the plundering the carriages in the town where the surgeons were to attend, was the cause of all the omissions of that kind. And as soon as they were composed by the coming on of the night, about midnight, he sent sir William Balfour, and some other officers, to see him, and to offer him all offices, and meant himself to have visited him. They found him upon a little straw in a poor house, where they had laid him in his blood, which had run from him in great abundance, no surgeon having been yet with him; only he had great vivacity in his looks; and told them, "he was "sorry to see so many gentlemen, some whereof "were his old friends, engaged in so foul a rebel-"lion:" and principally directed his discourse to sir William Balfour, whom he put in mind of "the "great obligations he had to the king; how much "his majesty had disobliged the whole English "nation by putting him into the command of the "Tower; and that it was the most odious ingrati-"tude in him to make him that return." He wished them to tell my lord Essex, "that he ought "to cast himself at the king's feet to beg his par-"don; which if he did not speedily do, his memory "would be odious to the nation;" and continued this kind of discourse with so much vehemence, that the officers by degrees withdrew themselves; and prevented the visit the earl of Essex intended him, who only sent the best surgeons to him; who in the very opening of his wounds died before the morning, only upon the loss of blood. He had very many friends, and very few enemies; and died generally lamented.

The lord Aubigney was a gentleman of great hopes, of a gentle and winning disposition, and of very clear courage: he was killed in the first charge with the horse; where, there being so little resistance, gave occasion to suspect that it was done by his own lieutenant, who being a Dutchman, had not been so punctual in his duty, but that he received some reprehension from his captain, which he murmured at. His body was brought off, and buried at Christ-church in Oxford; his two younger brothers, the lord John and the lord Bernard Stewart, were in the same battle, and were both killed afterwards in the war, and his only son is now duke of Richmond. Sir Edmund Verney hath been mentioned before upon his discourse at Nottingham, which was very ominous: he was a person of great honour and courage, and lost his life in that charge, when Balfour, with that reserve of horse, which had been so long undiscerned, broke into those regiments; but his body was not found.

Of the parliament party that perished, the lord Saint-John of Bletnezo, and Charles Essex, were of the best quality. The last had been bred up a page under the earl of Essex, who afterwards, at his charge, preferred him to a command in Holland; where he lived with very good reputation, and preserved the credit of his decayed family; and as soon as the earl unfortunately accepted this command, he thought his gratitude obliged him to run the fortune of his patron, and out of pure kindness to the person of the earl, as many other gentlemen did, engaged himself against the king without any malice or rebellion in his heart towards the crown. He had the command of a regiment of

foot, and was esteemed the best and most expert officer of the army, and was killed by a musket shot in the beginning of the battle. The lord Saint-John was eldest son to the earl of Bullingbroke, and got himself so well beloved by the reputation of courtesy and civility, which he expressed towards all men, that though his parts of understanding were very ordinary at best, and his course of life licentious and very much depraved, he got credit enough, by engaging the principal gentlemen of Bedfordshire and Hertfordshire to be bound for him, to contract a debt of fifty or threescore thousand pounds; for the payment whereof the fortune of the family was not engaged, nor in his power to engage. So that the clamour of his debts growing importunate, some years before the rebellion, he left the kingdom, and fled into France; leaving his vast debt to be paid by his sureties, to the utter ruin of many families, and the notable impairing of others. In the beginning of the parliament, the king was prevailed with to call him to the house of peers, his father being then alive, upon an assurance, "that by his presence and liberty, which "could by no other way be secured, means would "be found out to pay his debts, and free so many "worthy persons from their engagements: besides "that the times being like to be troublesome, the "king might be sure of a faithful servant, who "would always advance his service in that house." But the king had very ill fortune in conferring those graces, nor was his service more passionately and insolently opposed by any men in that house than by those, who upon those professions were redeemed by him from the condition of commoners.

And this gentleman, from the first hour of his sitting in that house by the king's so extraordinary grace, was never known to concur in any one vote for the king's service, that received any opposition: and, as soon as it was in his power, he received a commission with the first to command a troop of horse against him, in which he behaved himself so ill, that he received some wounds in running away; and being taken prisoner, died before the next morning, without any other signs of repentance, than the canting words, "that he did not intend "to be against the king, but wished him all hap-"piness:" so great an influence the first seeds of his birth and mutinous family had upon his nature, that how long soever they were concealed, and seemed even buried in a very different breeding and conversation, they sprung up, and bore the same fruit upon the first occasion. And it was an observation of that time, that the men of most licentious lives, who appeared to be without any sense of religion, or reverence to virtue, and the most unrestrained by any obligations of conscience, betook themselves to that party, and pretended an impulsion of religion out of fear of popery; and, on the other side, very many persons of quality, both of the clergy and laity, who had suffered under the imputation of puritanism, and did very much dislike the proceedings of the court, and opposed them upon all occasions, were yet so much scandalized at the very approaches to rebellion, that they renounced all their old friends, and applied themselves with great resolution, courage, and constancy to the king's service, and continued

in it to the end, with all the disadvantages it was liable to.

Prisoners taken by the enemy were, the lord Willoughby, hastily and piously endeavouring the rescue of his father; sir Thomas Lunsford, and sir Edward Stradling, both colonels; and sir William Vavasour, who commanded the king's regiment of guards under the lord Willoughby; and some other inferior commanders. There were hurt, sir Jacob Ashley, and sir Nicholas Byron, and more dangerously, colonel Charles Gerrard, who, being shot in the thigh, was brought off the field without any hopes of life, but recovered to act a great part afterwards in the war; sir George Strode, and some other gentlemen who served among the foot; for of the horse there was not an officer of name, who received a wound, the lord Aubigney only excepted; so little resistance did that part of the enemy make. Of the rebels there were slain, the lord Saint-John's, son and heir apparent of the earl of Bullingbroke, a man known by nothing, but the having run into a vast debt, to the ruin of his own and many families whom he procured to be engaged for him, whom the king, shortly after the beginning of this parliament, at the importunity of the earl of Bedford and some others, unhappily created a peer, and by that rendered his person free from the arrest of his creditors, and added one to the number of those lords, who most furiously revolted from their allegiance. He had at this battle a regiment of horse, and was taken prisoner after he had received some hurts, of which he died the next day. On the field was slain, colonel Charles Essex, the

soldier of whom they had the best opinion, and who had always, till this last action, preserved a good reputation in the world, which was now the worse, over and above the guilt of rebellion, by his having sworn to the queen of Bohemia, by whose intercession he procured leave from the prince of Orange to go into England, "that he would never "serve against the king:" and many other of obscure names, though officers of good command. There were a good number of their officers, especially of horse, taken prisoners, but (save that some of them were parliament men) of mean quality in the world, except only sir William Essex, the father of the colonel, whose wants, from having wasted a very great fortune, and his son's invitation, led him into that company; where he was a private captain of his regiment.

When the armies had thus only looked one upon another the whole day, and it being discerned that the enemy had drawn off his carriages, the king directed all his army to retire into their old quarters, presuming (as it proved) that many of those who were wanting would be found there. And so himself with his two sons went to Edgecot, where he lay the night before the battle, resolving to rest the next day, both for the refreshing his wearied, and even tired men, and to be informed of the motion and condition of the enemy, upon which some troops of the king's horse attended. The earl of Essex retired with his to Warwick castle, whither he had sent all his prisoners; so that, on the Tuesday morning, the king was informed, that the enemy was gone, and that some of his horse had attended the rear of the enemy almost to

Warwick, and that they had left many of their carriages, and very many of their wounded soldiers, at the village next the field; by which it appeared that their remove was in haste, and not without apprehension.

After the horse had marched almost to Warwick, and found the coast clear from the enemy, they returned to the field to view the dead bodies, many going to inquire after their friends who were missing, where they found many not yet dead of their wounds, but lying stripped among the dead; among whom, with others, young Mr. Scroop brought off his father, sir Gervas Scroop; who, being an old gentleman of great fortune in Lincolnshire, had raised a foot company among his tenants, and brought them into the earl of Lindsey's regiment, out of devotion and respect to his lordship, as well as duty to the king; and had, about the time that the general was taken, fallen with sixteen wounds in his body and head; and had lain stripped among the dead, from that time, which was about three of the clock in the afternoon on Sunday, all that cold night, all Monday, and Monday night, and till Tuesday evening, for it was so late before his son found him; whom with great piety he carried to a warm lodging, and afterwards in the march to Oxford; where he wonderfully recovered. The next morning after, being Wednesday, there was another gentleman, one Bellingham, of an ancient extraction in Sussex, and the only son of his father, found among the dead, and brought off by his friends, with twenty wounds; who, after ten days, died at Oxford, by the negligence of his surgeons, who left a wound in his thigh, of itself not danger-

ous, undiscerned, and so by festering destroyed a body very hopefully recovered of those which were only thought mortal. The surgeons were of opinion, that both these gentlemen owed their lives to the inhumanity of those who stripped them, and to the coldness of the nights, which stopped their blood, better than all their skill and medicaments could have done; and that, if they had been brought off within any reasonable distance of time after their wounds, they had undoubtedly perished.

On Wednesday morning, the king drew his army to a rendezvous, where he found his numbers greater than he expected; for, in the night after the battle, very many of the common soldiers, out of cold and hunger, had found their old quarters. So that it was really believed upon this view, when this little rest had recovered a strange cheerfulness into all men, that there were not in that battle lost above three hundred men at the most. There the king declared general Ruthen general of his army in the place of the earl of Lindsey; and then marched to Ayno, a little village two miles distant from Banbury, of which his majesty that day took a view, and meant to attempt it the next day following. There was at that time in Banbury castle a regiment of eight hundred foot, and a troop of horse, which, with spirits proportionable, had been enough to have kept so strong a place from an army better prepared to have assaulted it, than the king's then was, and at a season of the year more commodious for a siege. And therefore many were of opinion, that the king should have marched by it, without taking notice of it, and that the engaging before it

might prove very prejudicial to him. That which prevailed with him to stay there, besides the courage of his soldiers, who had again recovered their appetite to action, was that he could not well resolve whither to go; for till he was informed what the earl of Essex did, he knew not how to direct his march; and if the enemy advanced upon him, he could not fight in a place of more advantage. And therefore, having sent a trumpet to summon the castle, and having first taken the lord Say's house at Broughton, where there was some show of resistance, and in it a troop of horse, and some good arms, the cannon were planted against the castle, and the army drawn out before it; but, upon the first shot made, the castle sent to treat, and, upon leave to go away without their arms, they fairly and kindly delivered the place; and half the common soldiers at the least readily took conditions, and put themselves into the king's army; the rest of the arms came very seasonably to supply many soldiers of every regiment, who either never had any before, or had lost them at the battle.

This last success declared where the victory was before at Edgehill; for, though the routing of their horse, the having killed more on the place, and taken more prisoners, the number of the colours won from the enemy, (which were near forty in number,) without the loss of above three or four, and lastly the taking four pieces of their cannon the next morning after the battle, were so many arguments that the victory inclined to the king: on the other side, the loss of the general himself, and so many men of name either killed or taken prisoners, who were generally known over the

kingdom, (whereas, besides the lord Saint-John's, and colonel Essex, the names of the rest of that party were so obscure, that neither the one side seemed to be gainers by having taken or killed them, nor the other side to be losers by being without them,) the having kept the field last, and taken the spoil of it, were sufficient testimonies at the least that they were not overcome. But now the taking of Banbury, which was the more signal, by the circumstances of that part of the army's being, before the battle, designed for that service, then recalled to the field, and after that field fought, and the retreat of the enemy, the readvancing upon it, and taking it, was so undeniable an argument that the earl of Essex was more broken and scattered than at first he appeared to be, that the king's army was looked upon as victorious. A garrison was put into Banbury, and the command thereof committed to the earl of Northampton, and then the king marched to his own house [at] Woodstock; and the next day with the whole army to Oxford, which was the only city of England, that he could say was entirely at his devotion; where he was received by the university, to whom the integrity and fidelity of that place is to be imputed, with all joy and acclamation, as Apollo should be by the muses.

The earl of Essex continued still at Warwick, repairing his broken regiments and troops, which every day lessened and impaired; for the number of his slain men was greater than it was reported to be, there being very many killed in the chase, and many who died of their wounds after they were carried off, and, of those, who run away in the be-

ginning, more stayed away than returned; and, which was worse, they who run fastest and farthest told such lamentable stories of the defeat, and many of them shewed such hurts, that the terror thereof was even ready to make the people revolt to their allegiance in all places. Many of those who had stood their ground, and behaved themselves well in the battle, either with remorse of conscience, horror of what they had done, and seen, or weariness of the duty and danger, withdrew themselves from their colours, and some from their commands. And it is certain many engaged themselves first in that service, out of an opinion, that an army would procure a peace without fighting; others out of a desire to serve the king, and resolving to go away themselves, and to carry others with them, as soon as they should find themselves within a secure distance to do it; both these being, contrary to their expectation, brought to fight, the latter not knowing how to get to the king's army in the battle, discharged themselves of the service as soon as they came to Warwick; some with leave, and some without. But that which no doubt most troubled his excellency, was the temper and constitutions of his new masters; who, he knew, expected no less from him than a victory complete, by his bringing the person of the king alive or dead to them; and would consider what was now fallen out, as it was so much less than they looked for, not as it was more than any body else could have done for them. However, he gave them a glorious account of what had passed, and made as if his stay at Warwick were rather to receive new orders and commands from them, than out of any weakness or inability to

pursue the old, and that he attended the king's motion as well as if he had been within seven miles of him.

It is certain the consternation was very great at London, and in the two houses, from the time that they heard, that the king marched from Shrewsbury with a formed army, and that he was resolved to fight, as soon as he could meet with their army. However, they endeavoured to keep up confidently the ridiculous opinion among the common people, that the king did not command, but was carried about in that army of the cavaliers, and was desirous to escape from them; which they hoped the earl of Essex would give him opportunity to do. The first news they heard of the army's being engaged, was by those who fled upon the first charge; who made marvellous haste from the place of danger, and thought not themselves safe, till they were gotten out of any possible distance of being pursued. It is certain, though it was past two of the clock before the battle begun, many of the soldiers, and some commanders of no mean name, were at St. Alban's, which was near thirty miles from the field, before it was dark. These men, as all runaways do for their own excuse, reported all for lost, and the king's army to be so terrible, that it could not be encountered. Some of them, that they might not be thought to come away before there was cause, or whilst there was any hope, reported the progress of the battle, and presented all those lamentable things, and the circumstances by which every part of the army was defeated, which their terrified fancies had suggested to them whilst they run away; some had seen the earl of Essex slain, and

heard his dying words; "That every one should "shift for himself, for all resistance was to no pur- "pose:" so that the whole city was, the Monday, full of the defeat; and though there was an express, from the earl of Essex himself, of the contrary, there was not courage enough left to believe it, and every hour produced somewhat to contradict the reports of the last. Monday in the afternoon, the earl of Holland produced a letter in the house of peers, which was written the night before by the earl of Essex, in which all particulars of the day were set down, and "the impression that had in "the beginning been made upon his horse, but "that the conclusion was prosperous." Whilst this was reading, and every man greedily digesting the good news, the lord Hastings, who had a command of horse in the service, entered the house with frighted and ghastly looks, and positively declared "all to be lost, against whatsoever they believed "or flattered themselves with." And though it was evident enough that he had run away from the beginning, and only lost his way thither, most men looked upon him as the last messenger, and even shut their ears against any possible comfort; so that without doubt very many, in the horror and consternation of eight and forty hours, paid and underwent a full penance and mortification for the hopes and insolence of three months before. At the last, on Wednesday morning, the lord Wharton, and Mr. William Strode, the one a member of the house of lords, the other of the commons, arrived from the army, and made so full a relation of the battle, "of the great numbers slain on the king's "part, without any considerable loss on their side,

" of the miserable and weak condition the king's " army was in, and of the earl of Essex's resolution " to pursue him," that they were not now content to be savers, but voted " that their army had the " victory;" and appointed a day for a solemn thanksgiving to God for the same; and, that so great a joy might not be enjoyed only within those walls, they appointed those two trusty messengers to communicate the whole relation with all circumstances to the city; which was convened together at the guildhall to receive the same. But by this time, so many persons, who were present at the action, came to the town of both sides, (for there was yet a free intercourse with all quarters,) and some discourses were published, how little either of these two messengers had seen themselves of that day's business, that the city seemed not so much exalted at their relations, as the houses had [been]; the king's taking Banbury, and marching afterwards to Oxford, and the reports from those quarters of his power, with the earl of Essex's lying still at Warwick, gave great argument of discourse; which grew the greater by the commitment of several persons, for reporting, " that the king had the " better of the field;" which men thought would not have been, if the success had been contrary; and therefore there was nothing so generally spoken of, or wished for, as peace.

They who were really affected to the king, and from the beginning opposed all the extravagances, for of such there were many in both houses, who could not yet find in their hearts to leave the company, spake now aloud, " that an humble ad- " dress to the king for the removal of all misun-

" derstandings, was both in duty necessary, and in " policy convenient." The half-hearted and half-witted people, which made much the major part of both houses, plainly discerned there must be a war, and that the king at least would be able to make resistance, which they had been promised he could not do, and so were equally passionate to make any overtures for accommodation. They only who had contrived the mischief, and already had digested a full change and alteration of government, and knew well, that all their arts would be discovered, and their persons odious, though they might be secured, violently opposed all motions of this kind. These men pressed earnestly " to send an express to their " brethren of Scotland, to invite and conjure them " to come to their assistance, and to leave no way " unthought of for suppressing, and totally de- " stroying, all those who had presumed to side " with the king." This overture of calling the Scots in again was as unpopular a thing, as could be mentioned; besides that it implied a great and absolute diffidence in their own strength, and an acknowledgment that the people of England stood not so generally affected to their desires, which they had hitherto published, and urged, as the best argument to justify those desires. Therefore the wise managers of that party, by whose conduct they had been principally governed, seemed fully to concur with those who desired peace, " and to " send an humble address to the king, which they " confessed to be due from them as subjects, and " the only way to procure happiness for the king- " dom." And having hereby rendered themselves gracious, and gained credit, they advised them

" so to endeavour peace, that they might not be " disappointed of it," and wished them " to con- " sider that the king's party were high upon the " success of having an army, (of which they had " reasonably before despaired,) though not upon " any thing that army had yet done. That it was " apparent, the king had ministers stirring for him " in the north, and in the west, though hitherto " with little effect; and therefore if they should " make such an application for peace, as might " imply the giving over the thoughts of war, they " must expect such a peace, as the mercy of those " whom they had provoked would consent to. But " if they would steadily pursue those counsels as " would make their strength formidable, they " might then expect such moderate conditions, as " they might, with their own, and the kingdom's " safety, securely submit to. That therefore the " proposition of sending into Scotland was very " seasonable; not that it could be hoped, or was " desired, that they should bring an army into " England, of which there was not like to be any " need; but that that kingdom might make such a " declaration of their affections, and readiness to " assist the parliament, that the king might look " upon them with the more consideration, as a " body not easily to be oppressed, if he should in- " sist upon too high conditions."

By this artifice, whilst they who pressed a treaty thought, that, that being once consented to, a peace would inevitably be concluded, the same day that a committee was appointed, " to prepare heads of an " humble address unto his majesty, for composing

" the present differences and distractions, and set-
" tling the peace of the kingdom," (which was a great condescension,) they made no scruple to declare, " that the preparations of forces, and all " other necessary means for defence, should be " prosecuted with all vigour;" and thereupon required " all those officers and soldiers, who had " left their general, of which the town was then " full, upon pain of death, to return to him;" and, for his better recruit, solemnly declared, " that, in " such times of common danger and necessity, the " interest of private persons ought to give way to " the public; and therefore they ordained, that " such apprentices, as would be listed to serve as " soldiers, for the defence of the kingdom, the " parliament, and city, (with their other usual ex-
" pressions of religion, and the king's person,)
" their sureties, and such as stood engaged for
" them, should be secured against their masters;
" and that their masters should receive them again,
" at the end of their service, without imputing any
" loss of time to them, but the same should be
" reckoned as well spent, according to their inden-
" tures, as if they had been still in their shops."
And by this means many children were engaged in that service, not only against the consent, but against the persons, of their fathers, and the earl received a notable supply thereby.

Then, for their consent that a formal and perfunctory message should be sent to his majesty, whereby they thought a treaty would be entered upon, they procured at the same time, and as an expedient for peace, this material and full declara-

tion of both houses to the subjects of Scotland, which they caused with all expedition to be sent into that kingdom.

"We the lords and commons, assembled in the "parliament of England, considering with what "wisdom, and public affection, our brethren of "the kingdom of Scotland did concur with the "endeavours of this parliament, and the desires of "the whole kingdom, in procuring and establishing "a firm peace and amity between the two nations, "and how lovingly they have since invited us to a "nearer and higher degree of union in matters "concerning religion and church-government, "which we have most willingly and affectionately "embraced, and intend to pursue, cannot doubt "but they will, with as much forwardness and "affection, concur with us in settling peace in this "kingdom, and preserving it in their own; that "so we may mutually reap the benefit of that "amity and alliance, so happily made, and strongly "confirmed betwixt the two nations. Wherefore, "as we did about a year since, in the first appear-"ance of trouble then beginning among them, "actually declare, that, in our sense and apprehen-"sion of the national alliance betwixt us, we were "thereby bound to apply the authority of parlia-"ment, and power of this kingdom, to the pre-"servation and maintenance of their peace: and, "seeing now that the troubles of this kingdom are "grown to a greater height, and the subtle prac-"tices of the common enemy of the religion and "liberty of both nations do appear with more evi-"dent strength and danger than they did at that "time, we hold it necessary to declare, that, in

" our judgment, the same obligation lies upon our " brethren, by the aforementioned act, with the " power and force of that kingdom, to assist us in " repressing those among us, who are now in arms, " and make war, not only without consent of par- " liament, but even against the parliament, and " for the destruction thereof.

" Wherefore we have thought good to make " known unto our brethren, that his majesty hath " given commission to divers eminent and known " papists, to raise forces, and to compose an army " in the north, and other parts of this kingdom, " which is to join with divers foreign forces, in- " tended to be transported from beyond the seas, " for the destruction of this parliament, and of the " religion and liberty of the kingdom: and that " the principal part of the clergy and their adher- " ents have likewise invited his majesty to raise " another army, which, in his own person, he doth " conduct against the parliament, and the city of " London, plundering and robbing sundry well " affected towns within their power; and, in pro- " secution of their malice, they are so presumptu- " ous, and predominant of his majesty's resolu- " tions, that they forbear not those outrages in " places to which his majesty hath given his royal " word and protection; a great cause and incentive " of which malice proceeds from the design they " have to hinder the reformation of ecclesiastical " government in this kingdom, so much longed " for by all the true lovers of the protestant " religion.

" And hereupon we farther desire our brethren " of the nation of Scotland, to raise such forces as

" they shall think sufficient for securing the peace
" of their own borders, against the ill affected
" persons there, as likewise to assist us in suppress-
" ing the army of papists and foreigners; which,
" as we expect, will shortly be on foot here, and,
" if they be not timely prevented, may prove as
" mischievous and destructive to that kingdom, as
" to ourselves. And though we seek nothing from
" his majesty that may diminish his just authority,
" or honour, and have, by many humble petitions,
" endeavoured to put an end to this unnatural war
" and combustion in the kingdom, and to procure
" his majesty's protection, and security for our
" religion, liberty, and persons, (according to that
" great trust which his majesty is bound to by the
" laws of the land,) and shall still continue to renew
" our petitions in that kind; yet, to our great grief,
" we see the papistical and malignant council so
" prevalent with his majesty, and his person so
" engaged to their power, that we have little hope
" of better success of our petitions than we for-
" merly had; and are thereby necessitated to stand
" upon our just defence, and to seek this speedy
" and powerful assistance of our brethren of Scot-
" land, according to that act agreed upon in the
" parliament of both kingdoms, the common duty
" of Christianity, and the particular interests of
" their own kingdom: to which we hope God will
" give such a blessing, that it may produce the
" preservation of religion, the honour, safety, and
" peace of his majesty, and all his subjects, and a
" more strict conjunction of the counsels, designs,
" and endeavours of both nations, for the comfort

"and relief of the reformed churches beyond "sea."

It will not be here unseasonable, having, according to my weak abilities and observation, described the general temper and disposition of that time, and the particular state of affairs in the several parts of the kingdom, to take some short survey of the affections and inclinations of Scotland; the ordering and well disposing whereof, either side sufficiently understood, would be of moment, and extraordinary importance in the growing contention. From the time of the king's being last there, when he had so fully complied with all they had desired, both for the public government, and their private advancements, that kingdom within itself enjoyed as much quiet and tranquillity as they could desire; having the convenience of disburdening themselves of their late army into Ireland, whither their old general Leslie, then made earl of Leven, was employed in his full command by the king and the two houses, at the charge of England. So that many believed they had been so abundantly satisfied with what they had already gotten from England, that they had no farther projects upon this kingdom, but meant to make their fortunes by a new conquest in Ireland, where they had a very great part of the province of Ulster planted by their own nation. So that, according to their rules of good husbandry, they might expect whatsoever they got from the rebels to keep for themselves. And the king himself was so confident that the affections of that people could not be [so] corrupted towards him, as to make a farther at-

tempt upon him, that he believed them, to a degree, sensible of their former breach of duty, and willing to repair it by any service. Leslie himself had made great acknowledgments, and great professions to him, and had told him, "That it was "nothing to promise him, that he would never "more bear arms against him; but he promised "he would serve his majesty upon any summons, "without asking the cause." The earl of Lowden, and all the rest, who had misled the people, were possessed of whatsoever they could desire, and the future fortune of that nation seemed to depend wholly upon the keeping up the king's full power in this.

His majesty had, from time to time, given his council of that kingdom full relations of all his differences with the parliament, and had carefully sent them the declarations, and public passages of both sides; and they had always returned very ample expressions of their affections and duty, and expressed a great sense of the parliament's proceedings towards him. And since the time of his being at York, the lord chancellor of Scotland, in whose integrity and loyalty he was least secure, had been with him; and seemed so well satisfied with the justice and honour of his majesty's carriage towards the parliament, that he writ to the Scottish commissioners at London, in the name, and as by the direction of the lords of the secret council of that kingdom, "that they should present "to the two houses the deep sense they had of the "injuries and indignities, which were offered to "the king, whose just rights they were bound to "defend; and that they should conjure them to

" bind up those wounds which were made, and not " to widen them by sharpness of language; and to " give his majesty such real security for his safety " among them, by an effectual declaring against " tumults, and such other actions as were justly " offensive to his majesty, that he might be induced " to reside nearer to them, and comply with them " in such propositions as should be reasonably " made;" with many such expressions, as together with his return into Scotland without coming to London, where he was expected, gave them so much offence and jealousy, that they never communicated that letter to the houses, and took all possible care to conceal it from the people.

The marquis Hamilton had been likewise with his majesty at York, and finding the eyes of all men directed towards him with more than ordinary jealousy, he offered the king to go into Scotland, with many assurances and undertakings, confident, " that he would at least keep that people from do- " ing any thing, that might seem to countenance " the carriage of the parliament." Upon which promises, and to be rid of him at York, where he was by all men looked upon with marvellous prejudice, the king suffered him to go, with full assurance that he would, and he was sure he could, do him very good service there: as, on the other side, in his own court he was so great an offence, that the whole gentry of Yorkshire, who no doubt had infusions to that purpose from others, had a design to have petitioned the king, that the marquis might be sequestered from all councils, and presence at court, as a man too much trusted by them who would not trust his majesty.

Lastly, the king had many of the nobility of Scotland then attending him, and among those the earl of Calander, who had been lieutenant-general of the Scottish army, when it invaded England, and had freely confessed to his majesty, upon what errors and mistakes he had been corrupted, and by whom, and pretended so deep a sense of what he had done amiss, that it was believed he would have taken command in the king's army; which he declined, as if it might have been penal to him in Scotland by some clause in the act of the pacification, but especially upon pretence it would disable him from doing him greater service in that kingdom: whither, shortly after the standard was set up, he repaired, with all solemn vows of asserting and improving his majesty's interest in those parts.

The parliament on the other hand assured themselves, that that nation was entirely theirs, having their commissioners residing with them at London; and the chief managers and governors in the first [war], by their late intercourse, and communication of guilt, having a firm correspondence with the marquis of Argyle, the earl of Lowden, and that party, who, being not able to forgive themselves, thought the king could never in his heart forgive them, when it should be in his power to bring them to justice. And they undertook that when there should be need of that nation, (which the other thought there would never be,) they should be as forward to second them as they had been; in the mean time returned as fair and respective answers to all their messages, and upon their declarations, which were constantly sent to

them, as they did to the king; assisting them in their design against the church, which was not yet grown popular, even in the two houses, by declaring "that the people of that nation could never be engaged on any other ground, than the reformation "of religion." And therefore, about the beginning of August, the assembly of the kirk of Scotland published a declaration; "how exceedingly grieved "they were, and made heavy, that in so long a "time, against the professions both of king and "parliament, and contrary to the joint desires and "prayers of the godly in both kingdoms, to whom "it was more dear and precious than what was "dearest to them in the world, the reformation of "religion had moved so slowly, and suffered so "great interruption."

The ground of which reproach was this: in the late treaty of peace, the commissioners for Scotland had expressed a desire or wish warily couched in words, rather than a proposition, "that there were "such an unity of religion, and uniformity of "church-government agreed on, as might be a "special means for conserving of peace betwixt "the two kingdoms:" to which there had been a general inclination to return a rough answer, and reproof for their intermeddling in any thing that related to the laws of England. But, by the extraordinary industry and subtilty of those, who saw that business was not yet ripe, and who alleged, that it was only wished, not proposed, and therefore that a sharp reply was not merited, this gentle answer, against the minds of very many, was returned:

"That his majesty, with the advice of both

" houses of parliament, did approve of the affection " of his subjects of Scotland, in their desire of " having conformity of church-government be- " tween the two nations; and as the parliament " had already taken into consideration the reform- " ation of church-government, so they would pro- " ceed therein in due time, as should best conduce " to the glory of God, the peace of the church, " and of both kingdoms."

Which was consented to by most, as a civil answer, signifying, or concluding nothing; by others, because it admitted an interpretation of reducing the government of the church in Scotland to this of England, as much as the contrary. But it might have been well discerned, that those men asked nothing without a farther design than the words naturally imported, nor ever rested satisfied with a general formal answer, except they found, that they should hereafter make use, and receive benefit by such answer. So they now urged the matter of this answer, as a sufficient title to demand the extirpation of prelacy in England, and demolishing the whole fabric of that glorious church; urging his majesty's late practice, while he [was] in person in Scotland, in resorting frequently to their exercises of public worship; and his royal actions, in establishing the worship and government of that kirk in parliament. And therefore they desired the parliament " to begin their work " of reformation at the uniformity of kirk-govern- " ment; for that there could be no hope of unity " in religion, of one confession of faith, one form " of worship, and one catechism, till there were " first one form of church-government; and that

" the kingdom, and kirk of Scotland, could have " no hope of a firm and durable peace, till prelacy, " which had been the main cause of their miseries " and troubles, first and last, were plucked up root " and branch, as a plant which God had not " planted, and from which no better fruits could " be expected, than such sour grapes, as at that " day set on edge the kingdom of England."

Which declaration the lords of the secret council, finding, as they said, " the reasons therein " expressed to be very pregnant, and the particu- " lars desired, much to conduce to the glory of " God, the advancement of the true Christian " faith, his majesty's honour, and the peace and " union of his dominions," well approved of; and concurred in their earnest desires to the two houses of parliament, " to take to their serious consider- " ations those particulars, and to give favourable " hearing to such desires and overtures, as should " be found most conducible to the promoting so " great and so good a work."

This being sent to the parliament at the time they were forming their army, and when the king was preparing for his defence, they who, from the beginning, had principally intended this confusion of the church, insinuated " how necessary it was, " speedily to return a very affectionate and satis- " factory reply to the kingdom of Scotland; not " only to preserve the reputation of unity and con- " sent between them, which, at that time, was very " useful to them, but to hinder the operations of " the disaffected in that kingdom; who, upon in- " fusions that the parliament only aimed at taking " his majesty's regal rights from him, to the pre-

" judice of monarchique government, without any " thought of reforming religion, endeavoured to " pervert the affections of that people towards the " parliament. Whereas, if they were once assured " there was a purpose to reform religion, they " should be sure to have their hearts; and, if " occasion required, their hands too; which pos- " sibly might be seduced for the king, if that " purpose were not manifested. Therefore, for " the present, they should do well to return their " hearty thanks for, and their brotherly acceptance " and approbation of the desires and advice of that " Christian assembly, and of the lords of the coun- " cil; and that though, for the present, by reason " of the king's distance from the parliament, they " could not settle any conclusion in that matter, " [yet] for their parts they were resolved to en- " deavour it."

By this artifice and invention, they procured a declaration from the two houses of parliament, of wonderful kindness, and confession of many inconveniences and mischiefs the kingdom had sustained by bishops; and therefore they declared, " that that " hierarchical government was evil, and justly of- " fensive, and burdensome to the kingdom; a great " impediment to reformation and growth of reli- " gion; very prejudicial to the state and govern- " ment of the kingdom; and that they were re- " solved, that the same should be taken away; and " that their purpose was to consult with godly and " learned divines, that they might not only remove " that, but settle such a government, as might be " most agreeable to God's holy word; most apt to " procure and conserve the peace of the church at

" home, and happy union with the church of Scot-
" land, and other reformed churches abroad; and
" to establish the same by a law, which they in-
" tended to frame for that purpose, to be presented
" to his majesty for his royal assent; and in the
" mean time to beseech him, that a bill for the
" assembly might be passed in time convenient for
" their meeting;" the two houses having extra-judicially and extravagantly nominated their own divines to that purpose, as is before remembered.

It was then believed by many, and the king was persuaded to believe the same, that all those importunities from Scotland concerning the government of the church were used only to preserve themselves from being pressed by the parliament, to join with them against the king; imagining that this kingdom would never have consented to such an alteration; and they again pretending, that no other obligation could unite that people in their service. But it is most certain, this last declaration was procured by persuading men, " that it
" was for the present necessary, and that it was
" only an engagement to do their best to persuade
" his majesty, who they concluded would be inex-
" orable in the point," (which they seemed not to be sorry for,) " and that a receding from such a
" conclusion would be a means to gratify his ma-
" jesty in a treaty." At worst, they all knew, that there would be room enough, when any bill should be brought in, to oppose what they had, for this reason of state, seemed generally to consent to. And so, by these stratagems, thinking to be too hard for each other, they grew all so entangled, that they still wound themselves deeper into those

labyrinths, in which the major part meant not to be involved. And what effect that declaration of the two houses, after the battle of Edge-hill, which is mentioned before, wrought, will very shortly appear.

The king found himself in good ease at Oxford, where care was taken for providing for the sick and wounded soldiers, and for the accommodation of the army, which was, in a short time, recruited there in a good measure; and the several colleges presented his majesty with all the money they had in their treasuries, which amounted to a good sum, and was a very seasonable supply, as they had formerly sent him all their plate. It had been very happy, if the king had continued his resolution of sitting still during the winter, without making farther attempts; for his reputation was now great, and his army believed to be much greater than it was, by the victory they had obtained, and the parliament grew more divided into factions, and dislike of what they had done, and the city appeared fuller of discontent, and less inclined to be imposed upon, than they had been: so that on all hands nothing was pressed, but that some address might be made to the king for an accommodation; which temper and disposition might have been cultivated, as many men thought, to great effects, if no farther approaches had been made to London, to shew them how little cause they had for their great fear. But the weather growing fair again, as it often is about Allhollontide, and a good party of horse having been sent out from Abingdon, where the head quarter of the horse was, they advanced farther than they had order to do, and

upon their approach to Reading, where Harry Martin was governor for the parliament, there was a great terror seized upon them, insomuch as governor and garrison fled to London, and left the place to the party of horse; which gave advertisement to the king, "that all fled before them; that "the earl of Essex remained still at Warwick, "having no army to march; and that there were "so great divisions in the parliament, that, upon "his majesty's approach, they would all fly; and "that nothing could interrupt him from going to "Whitehall. However, Reading itself was so "good a post, that if the king should find it ne-"cessary to make his own residence in Oxford, it "would be much the better by having a garrison "at Reading."

Upon these and other motives, besides the natural credulity in men, in believing all they wish to be true, the king was prevailed with to march with his army to Reading. This alarm quickly came to London, and was received with the deepest horror: they now unbelieved all which had been told them from their own army; that army, which, they were told, was well beaten and scattered, was now advanced within thirty miles of London; and the earl of Essex, who pretended to the victory, and who they supposed was watching the king, that he might not escape from him, could not be heard of, and continued still at Warwick. Whilst the king was at Nottingham, and Shrewsbury, they gave orders magisterially for the war: but now it was come to their own doors, they took not that delight in it.

Before they were resolved what to say, they

despatched a messenger, who found the king at Reading, only to desire "a safe conduct from his "majesty for a committee of lords and commons, "to attend his majesty with an humble petition "from his parliament." The king presently returned his answer, "that he had always been, and "was still, ready to receive any petition from them; "that their committee should be welcome, provided "it consisted of persons, who had not been by "name declared traitors by his majesty, and ex- "cepted as such in his declarations or proclama- "tions." The cause of this limitation was as well the former rule his majesty had set down at Shrewsbury, (from whence he thought not fit now to recede, after a battle,) as that he might prevent the lord Say's being sent to him, from whom he could expect no entire and upright dealing.

The next day another letter came from the speaker of the house of peers to the lord Falkland, one of his majesty's principal secretaries, to desire "a safe conduct for the earls of Northumberland "and Pembroke, and four members of the house "of commons, to attend his majesty with their "petition;" which safe conduct was immediately signed by his majesty, excepting only for sir John Evelyn, who was by name excepted in his majesty's proclamation of pardon to the county of Wilts; which proclamation was then sent to them with a signification, "that if they would send any "other person in his place, not subject to the same "exception, he should be received as if his name "were in the safe conduct." Though this was no more than they had cause to look for, yet it gave them opportunity for a time to lay aside the thought

of petitioning, as if his majesty had rejected all overtures of peace: "For he might every day "proclaim as many of their members traitors, and "except them from pardon, as he pleased; and "therefore it was to no purpose to prepare peti-"tions, and appoint messengers to present them, "when it was possible those messengers might, "the hour before, be proclaimed traitors: that to "submit to such a limitation of the king's was, "upon the matter, to consent to and approve the "highest breach of privilege, that had been yet "offered to them."

So that, for some days, all discourse of peace was waved, and all possible preparations for defence and resistance made; for which they had a stronger argument than either of the other, the advancing of their general, the earl of Essex, who was now on his march towards London; and a great fame came before him of the strength and courage of his army; though in truth it was not answerable to the report: however, it served to encourage and inflame those whose fear only inclined them to peace, and to awe the rest. The king, who had every night an account of what was transacted in the houses all day, (what the close committee did, who guided all private designs, was not so soon known,) resolved to quicken them; and advanced with his whole army to Colebrook. This indeed exalted their appetite to peace; for the clamour of the people was importunate, and somewhat humbled their style; for at Colebrook, the 11th of November, his majesty was met by the two earls of Northumberland and Pembroke, with those three of the house of commons whose names were in the

safe conduct; they satisfying themselves, that the leaving sir John Evelyn behind them, without bringing another in his room, was no submission to the king's exception: and this petition [was] by them presented to him.

"We your majesty's most loyal subjects, the "lords and commons in parliament assembled, "being affected with a deep and piercing sense of "the miseries of this kingdom, and of the dangers "to your majesty's person, as the present affairs "now stand; and much quickened therein with "the sad consideration of the great effusion of "blood at the late battle, and of the loss of so "many eminent persons; and farther weighing "the addition of loss, misery, and danger to "your majesty, and your kingdom, which must "ensue, if both armies should again join in an-"other battle, as without God's especial blessing, "and your majesty's concurrence with your houses "of parliament, will not probably be avoided: we "cannot but believe that a suitable impression of "tenderness and compassion is wrought in your "majesty's royal heart, being yourself an eyewit-"ness of the bloody and sorrowful destruction of "so many of your subjects; and that your ma-"jesty doth apprehend what diminution of your "own power and greatness will follow, and that "all your kingdoms will thereby be so weakened "as to become subject to the attempts of any ill-"affected to this state.

"In all which respects we assure ourselves, that "your majesty will be inclined graciously to accept "this our humble petition; that the misery and "desolation of this kingdom may be speedily re-

" moved, and prevented. For the effecting where-
" of, we humbly beseech your majesty to appoint
" some convenient place, not far from the city of
" London, where your majesty will be pleased to
" reside, until committees of both houses of par-
" liament may attend your majesty with some pro-
" positions for the removal of these bloody dis-
" tempers and distractions, and settling the state
" of the kingdom in such a manner as may con-
" duce to the preservation of God's true religion,
" your majesty's honour, safety, and prosperity;
" and to the peace, comfort, and security of all
" your people."

The king, within two or three hours after the receipt of this petition, delivered to the same messengers this ensuing answer, with which they returned the same night to London.

" We take God to witness, how deeply we are
" affected with the miseries of this kingdom, which
" heretofore we have stroven as much as in us lay
" to prevent; it being sufficiently known to all the
" world that, as we were not the first that took up
" arms, so we have shewed our readiness of com-
" posing all things in a fair way, by our several
" offers of treaty, and shall be glad now at length
" to find any such inclinations in others. The
" same tenderness to avoid the destruction of our
" subjects, (whom we know to be our greatest
" strength,) which would always make our greatest
" victories bitter to us, shall make us willingly
" hearken to such propositions, whereby these
" bloody distempers may be stopped, and the
" great distractions of this kingdom settled to
" God's glory, our honour, and the welfare and

" flourishing of our people: and to that end shall " reside at our own castle at Windsor, (if the " forces there shall be removed,) till committees " may have time to attend us with the same, " (which, to prevent the inconveniences that will " intervene, we wish be hastened,) and shall be " ready there, or, if that be refused us, at any " place where we shall be, to receive such pro- " positions as aforesaid, from both our houses of " parliament. Do you your duty, we will not be " wanting in ours. God of his mercy give a " blessing."

It was then believed by many, that if the king had, as soon as the messengers returned to London, retired with his army to Reading, and there expected the parliament's answer, they would immediately have withdrawn their garrison from Windsor, and delivered that castle to his majesty for his accommodation to have treated in: and without doubt those lords who had been with the petition, and some others who thought themselves as much overshadowed by the greatness of the earl of Essex, and the chief officers of the army, as they could be by the glory of any favourite, or power of any counsellors, were resolved to merit as much as they could of the king, by advancing an honourable peace; and had it in their purpose to endeavour the giving up of Windsor to the king; but whether they would have been able to have prevailed that so considerable a strength, in so considerable a place, should have been quitted, whilst there was only hope of a peace, I much doubt. But certainly the king's army carried great terror with it; and all those reports, which pub-

lished the weakness of it, grew to be peremptorily disbelieved. For, besides that every day's experience disproved somewhat which was as confidently reported, and it was evident great industry was used to apply such intelligence to the people as was most like to make impression upon the passions and affections of the vulgar-spirited, it could not be believed that a handful of men could have given battle to their formidable army, and, after taking two or three of their garrisons, presume to march within fifteen miles of London: so that, if from thence the king had drawn back again to Reading, relying upon a treaty for the rest, it is probable his power would have been more valued, and consequently his grace the more magnified. And sure the king resolved to have done so, or at least to have staid at Colebrook, (which was not so convenient,) till he heard again from the parliament. But prince Rupert, exalted with the terror he heard his name gave to the enemy, trusting too much to the vulgar intelligence every man received from his friends at London, who, according to their own passions and the affections of those with whom they corresponded, concluded that the king had so great a party in London, that, if his army drew near, no resistance would be made, and too much neglecting the council of state (which from the first hour the army overmuch inclined to) without any direction from the king, the very next morning after the committee returned to London, advanced with the horse and dragoons to Hounslow, and then sent to the king to desire him that the army might march after; which was, in that case, of absolute necessity; for the

earl of Essex had a part of his army at Brentford, and the rest at Acton, and Kingston. So that if the king had not advanced with his body, those who were before might very easily have been compassed in, and their retreat [made] very difficult.

So the king marched with his whole army towards Brentford, where were two regiments of their best foot, (for so they were accounted, being those who had eminently behaved themselves at Edge-hill,) having barricadoed the narrow avenues to the town, and cast up some little breastworks at the most convenient places. Here a Welsh regiment of the king's, which had been faulty at Edge-hill, recovered its honour, and assaulted the works, and forced the barricadoes well defended by the enemy. Then the king's forces entered the town after a very warm service, the chief officers and many soldiers of the other side being killed, and took there above five hundred prisoners, eleven colours, and fifteen pieces of cannon, and good store of ammunition. But this victory (for considering the place it might well be called so) proved not at all fortunate to his majesty.

The two houses were so well satisfied with the answer their committee had brought from the king, and with the report they made of his majesty's clemency, and gracious reception of them, that they had sent order to their forces, "that they "should not exercise any act of hostility towards "the king's forces;" and, at the same time, despatched a messenger, to acquaint his majesty therewith, and to desire "that there might be the "like forbearance on his part." The messenger

found both parties engaged at Brentford, and so returned without attending his majesty, who had no apprehension that they intended any cessation; since those forces were advanced to Brentford, Acton, and Kingston, after their committee was sent to Colebrook. However they looked upon this entering of Brentford as a surprise contrary to faith, and the betraying their forces to a massacre, under the specious pretence of a treaty for peace. The alarum came to London, with the same dire yell as if the army were entered their gates, and the king accused "of treachery, perfidy, and blood; "and that he had given the spoil and wealth of "the city as pillage to his army, which advanced "with no other purpose."

They who believed nothing of those calumnies, were not yet willing the king should enter the city with an army, which, they knew, would not be governed in so rich quarters; and therefore, with unspeakable expedition, the army under the earl of Essex was not only drawn together, but all the trained bands of London led out in their brightest equipage upon the heath next Brentford; where they had indeed a full army of horse and foot, fit to have decided the title of a crown with an equal adversary. The view and prospect of this strength, which nothing but that sudden exigent could have brought together, (so that army was really raised by king and parliament,) extremely puffed them up; not only as it was an ample security against the present danger, but as it looked like a safe power to encounter any exigent. They had then before their eyes the king's little handful of men, and then began to wonder and blush at their

own fears; and all this might be without excess of courage; for without doubt their numbers then, without the advantage of equipage, (which to soldiers is a great addition of mettle,) were five times greater than the king's harassed, weather-beaten, and half-starved troops.

I have heard many knowing men, and some who were then in the city regiments, say, "That if "the king had advanced, and charged that massive "body, it had presently given ground; and that "the king had so great a party in every regiment, "that it would have made no resistance." But it had been madness, which no success could have vindicated, to have made that attempt: and the king easily discerned that he had brought himself into straits and difficulties, which would be hardly mastered, and exposed his victorious army to a view, at too near a distance off his two enemies, the parliament and the city. Yet he stood all that day in battalia to receive them, who only played upon him with their cannon, to the loss only of four or five horses, and not one man; that being a good argument to them not to charge the king, which had been an ill one to him to charge them, the constitution of their forces, where there were very many not at all affected to the company they were in.

When the evening drew on, and it appeared that great body stood only for the defence of the city, the king appointed his army to draw off to Kingston, which the rebels had kindly quitted; which they did without the loss of a man; and himself went to his own house at Hampton-court; where he rested the next day, as well to refresh

his army, even tired with watching and fasting, as to expect some propositions from the houses. For, upon his advance to Brentford, he had sent a servant of his own, one Mr. White, with a message to the parliament, containing the reasons of that motion, (there being no cessation offered on their part,) and desiring "the propositions might "be despatched to him with all speed." But his messenger, being carried to the earl of Essex, was by him used very roughly, and by the houses committed to the Gate-house, not without the motion of some men, "that he might be executed as "a spy."

After a day's stay at Hampton-court, the king removed himself to his house at Oatlands, leaving the gross of his army still at Kingston, and thereabouts; but being then informed of the high imputations they had laid upon him; "of breach "of faith, by his march to Brentford; and that "the city was really inflamed with an opinion, "that he meant to have surprised them, and "to have sacked the town; that they were so "possessed with that fear and apprehension, that "their care and preparation for their safety would "at least keep off all propositions for peace, "whilst the army lay so near London;" he gave direction for all his forces to retire to Reading; first discharging all the common soldiers, who had been taken prisoners at Brentford, (except such who voluntarily offered to serve him,) upon their oaths that they would no more bear arms against his majesty.

The king then sent a message to the houses, in which "he took notice of those unjust and unrea-

" sonable imputations raised on him; told them " again of the reasons and circumstances of his " motion towards Brentford; of the earl of Essex's " drawing out his forces towards him, and possess- " ing those quarters about him, and almost hem- " ming him in, after the time that the commis- " sioners were sent to him with the petition; that " he had never heard of the least overture of the " forbearing all acts of hostility, but saw the con- " trary practised by them by that advance; that he " had not the least thought or intention of master- " ing the city by force, or carrying his army thither: " that he wondered to hear his soldiers charged " with thirsting after blood, when they took above " five hundred prisoners in the very heat of the " fight. He told them such were most apt and " likely to maintain their power by blood and " rapine, who had only got it by oppression and " injustice; that his was vested in him by the " law, and by that only (if the destructive counsels " of others did not hinder such a peace, in which " that might once again be the universal rule, and " in which only religion and justice could flourish) " he desired to maintain it: that he intended to " march to such a distance from his city of London, " as might take away all pretence of apprehension " from his army, that might hinder them from pre- " paring their propositions, in all security, to be " presented to him; and there he would be ready " to receive them, or, if that expedient pleased " them not, to end the pressures and miseries, " which his subjects, to his great grief, suffered " through this war, by a present battle."

But as the army's being so near London was an

argument against a present treaty, so its remove to Reading was a greater with very many not to desire any. The danger, which they had brought themselves for some days together to look upon at their gates, was now to be contemned at the distance of thirty miles; and this retreat imputed only to the fear of their power, not to the inclinations to peace. And therefore they, who during the time that the major part did really desire a good peace, and whilst overtures were preparing to that purpose, had the skill to intermingle acts more destructive to it, than any propositions could be contributory, (as the inviting the Scots to their assistance by that declaration, which is before mentioned; and the publishing a declaration at the same time, which had lain long by them, in reply to one set forth by the king long before in answer to theirs of the 26th of May, in which they used both his person and his power with more irreverence than they had ever done before,) now only insisted on the surprise, as they called it, of Brentford; [and] published, by the authority of both houses, a relation of the carriage of the king's soldiers in that town after their victory, (which they framed upon the discourses of the country people, who possibly, as it could not be otherwise, had received damage by their license then,) to make the king and his army odious to the kingdom; "as affecting nothing but blood and rapine;" [and] concluded, "that there could not be reasonably expected any good conditions of a tolerable peace "from the king, whilst he was in such company; "and therefore that all particular propositions were "to be resolved into that one, of inviting his ma-

"jesty to come to them;" and got a vote from the major part of both houses, "that no other "thought of accommodation or treaty should be "thought on."

Their trusty lord mayor of London, Isaac Pennington, who was again chosen to serve another year, so bestirred himself, having to assist him two such sheriffs, Langham and Andrews, as they could wish, that there was not only no more importunity or interposition from the city for peace; but, instead thereof, an overture and declaration from divers, under the style of well-affected persons, "that they would advance a considerable number "of soldiers, for the supply and recruit of the par-"liament forces; and would arm, maintain, and "pay them for several months, or during the times "of danger and distractions; provided that they "might have the public faith of the kingdom for "repayment of all such sums of money, which they "should so advance by way of loan." This wonderful kind [of] proposition was presently declared "to be an acceptable service to the king, parlia-"ment, and kingdom, and necessarily tending to "the preservation of them;" and therefore an ordinance, as they call it, was framed and passed both houses;

"That all such as should furnish men, money, "horse, or arms for that service, should have the "same fully repaid again, with interest for the for-"bearance thereof, from the times disbursed. And "for the true payment thereof, they did thereby "engage to all, and every such person, and per-"sons, the public faith of the kingdom." And ordered the lord mayor, and sheriffs of London,

by themselves, or such sub-committees as they should appoint, to take subscriptions, and to intend the advancement of that service. Upon this voluntary, general proposition, made by a few obscure men, probably such who were not able to supply much money, was this ordinance made; and from this ordinance the active mayor, and sheriffs, appointed a committee of such persons whose inclinations they well knew, to press all kind of people, especially those who were not forward, to new subscriptions; and by degrees, from this unconsidered passage, grew the monthly tax of six thousand pounds to be set upon the city for the payment of the army.

As they provided, with this notable circumspection, to raise men and money; so they took not less care, nor used less art and industry, to raise their general; and lest he might suppose himself fallen in their good grace and confidence, by bringing an army back shattered, poor, and discomforted, which he had carried out in full numbers, and glorious equipage, they used him with greater reverence and submission than ever. They had before appointed another distinct army to be raised under the command of the earl of Warwick, and not subject to the power of the earl of Essex; and of this, several regiments and troops were raised: these they sent to the old army, and the earl of Warwick gave up his commission, upon a resolution, "that "there should be only one general, and he, the "earl of Essex." Then the two houses passed and presented, with great solemnity, this declaration to his excellency, the same day that their committee went to the king with their petition;

"That, as they had, upon mature deliberation, "and assured confidence in his wisdom, courage, "and fidelity, chosen and appointed him their "captain-general; so they did find, that the said "earl had managed that service, of so high import-"ance, with so much care, valour, and dexterity, "as well by the extremest hazard of his life, in a "bloody battle near Keinton in Warwickshire, as "by all the actions of a most excellent and expert "commander, in the whole course of that employ-"ment, as did deserve their best acknowledgment: "and they did therefore declare, and publish, to "the lasting honour of the said earl, the great and "acceptable service, which he had therein done "to the commonwealth: and should be willing and "ready, upon all occasions, to express the due "sense they had of his merits, by assuring and "protecting him, and all others employed under his "command in that service, with their lives and "fortunes, to the uttermost of their power: that "testimony and declaration to remain upon re-"cord, in both houses of parliament, for a mark "of honour to his person, name, and family, and for "a monument of his singular virtue to posterity."

When they had thus composed their army and their general, they sent this petition to the king to Reading, who staid still there in expectation of their propositions.

"May it please your majesty:

"It is humbly desired by both houses of parlia-"ment, that your majesty will be pleased to return "to your parliament, with your royal, not your "martial, attendance; to the end that religion, "laws, and liberties, may be settled and secured

" by their advice; finding by a sad and late acci-
" dent, that your majesty is environed by some
" such counsels, as do rather persuade a desperate
" division, than a joining and a good agreement
" with your parliament and people: and we shall be
" ready to give your majesty assurances of such
" security, as may be for your honour, and the
" safety of your royal person."

As soon as the king received this strange address, he returned them by the same messenger a sharp answer. He told them, " he hoped all his good " subjects would look upon that message with in-" dignation, as intended, by the contrivers thereof, " as a scorn to him; and thereby designed by that " malignant party, (of whom he had so often com-" plained, whose safety and ambition was built " upon the divisions and ruins of the kingdom, and " who had too great an influence upon their " actions,) for a wall of separation betwixt his ma-" jesty and his people. He said, he had often told " them the reasons, why he departed from London; " how he was chased thence, and by whom; and " as often complained, that the greatest part of his " peers, and of the members of the house of com-" mons, could not, with safety to their honours " and persons, continue, and vote freely among " them; but, by violence, and cunning practices, " were debarred of those privileges, which their " birthrights, and the trust reposed in them by their " counties, gave them: that the whole kingdom " knew that an army was raised, under pretence of " orders of both houses, (an usurpation never " before heard of in any age,) which army had " pursued his majesty in his own kingdom; given

" him battle at Keinton; and now, those rebels " being recruited, and possessed of the city of Lon- " don, he was courteously invited to return to his " parliament there, that is, to the power of that army.

" That, he said, could signify nothing but that, " since the traitorous endeavours of those desperate " men could not snatch the crown from his head, " it being defended by the providence of God, and " the affections and loyalty of his good subjects, " he should now tamely come up, and give it " them; and put himself, his life, and the lives, " liberties, and fortunes of all his good subjects " into their merciful hands. He said, he thought " not fit to give any other answer to that part of " their petition: but as he imputed not that affront " to both his houses of parliament, nor to the ma- " jor part of those who were then present there, " but to that dangerous party his majesty and the " kingdom must still cry out upon; so he would " not (for his good subjects' sake, and out of his " most tender sense of their miseries, and the " general calamities of the kingdom, which must, " if the war continued, speedily overwhelm the " whole nation) take advantage of it: but if they " would really pursue the course they seemed, by " their petition at Colebrook, to be inclined to, he " should make good all he then promised; where- " by the hearts of his distressed subjects might be " raised with the hopes of peace; without which, " religion, the laws, and liberties, could by no " ways be settled and secured.

" For the late and sad accident they mentioned, " if they intended that of Brentford, he desired " them once again to deal ingenuously with the

" people, and to let them see his last message to " them, and his declaration concerning the same," (both which his majesty had sent to his press at London, but were taken away from his messenger, and not suffered to be published,) " and then he " doubted not, but they would be soon undeceived, " and easily find out those counsels, which did " rather persuade a desperate division, than a good " agreement betwixt his majesty, his two houses, " and people."

This answer being delivered, without any farther consideration whether the same were reasonable or not reasonable, they declared " the king had no " mind to peace;" and thereupon laid aside all farther debates to that purpose; and ordered their general to march to Windsor with the army, to be so much nearer the king's forces; for the better recruiting whereof, two of their most eminent chaplains, Dr. Downing and Mr. Marshall, publicly avowed, " that the soldiers lately taken prisoners " at Brentford, and discharged, and released by " the king upon their oaths that they would never " again bear arms against him, were not obliged " by that oath;" but, by their power, absolved them thereof, and so engaged again those miserable wretches in a second rebellion.

When the king discerned clearly that the enemies to peace had the better of him, and that there was now no farther thought of preparing propositions to be sent to him; after he had seen a line drawn about Reading, which he resolved to keep as a garrison, and the works in a reasonable forwardness, he left sir Arthur Aston, whom he had lately made commissary-general of the horse, (Mr.

Wilmot being at the same time constituted lieutenant-general,) governor thereof, with a garrison of above two thousand foot, and a good regiment of horse: and himself with the rest of his army marched to Oxford, where he resolved to rest that winter, settling at the same time a good garrison at Wallingford, a place of great importance within eight miles of Oxford; another at the Brill upon the edge of Buckinghamshire; a third being before settled at Banbury; Abingdon being the head quarters for his horse; and by this means he had all Oxfordshire entire, all Berkshire, but that barren division about Windsor; and from the Brill, and Banbury, a good influence upon Buckinghamshire and Northamptonshire.

The king was hardly settled in his quarters, when he heard that the parliament was fixing a garrison at Marlborough in Wiltshire, a town the most notoriously disaffected of all that county; otherwise, saving the obstinacy and malice of the inhabitants, in the situation of it very unfit for a garrison. Thither the earl of Essex had sent one Ramsey, (a Scotsman, as most of their officers were of that nation,) to be governor; who, with the help of the factious people there, had quickly drawn together five or six hundred men. This place, the king saw, would prove quickly an ill neighbour to him; not only as it was in the heart of a rich county, and so would straiten, and even infest his quarters, (for it was within twenty miles of Oxford,) but as it did cut off his line of communication with the west: and therefore, though it was December, a season, when his tired and almost naked soldiers might expect rest, he sent a strong party of horse, foot, and dragoons, under the com-

mand of Mr. Wilmot, the lieutenant-general of his horse, to visit that town; who, coming thither on a Saturday, found the place strongly manned: for, besides the garrison, it being market-day, very many country people came thither to buy and sell, and were all compelled to stay and take arms for the defence of the place; which, for the most part, they were willing to do, and the people peremptory to defend it. Though there was no line about it, yet there were some places of great advantage, upon which they had raised batteries, and planted cannon, and so barricadoed all the avenues, which were through deep narrow lanes, that the horse could do little service.

When the lieutenant-general was, with his party, near the town, he apprehended a fellow, who confessed, upon examination, "that he was a spy, and "sent by the governor to bring intelligence of their "strength and motion." When all men thought, and the poor fellow himself feared, he should be executed, the lieutenant-general caused his whole party to be ranged in order in the next convenient place, and bid the fellow look well upon them, and observe them; and then bid him return to the town, and tell those that sent him, what he had seen, and withal that he should acquaint the magistrates of the town "that they should do well to "treat with the garrison, to give them leave to "submit to the king; that if they did so, the town "should not receive the least prejudice; but if "they compelled him to make his way, and enter "the town by force, it would not be in his power "to keep his soldiers from taking that which they "should win with their blood:" and so dismissed him. This generous act proved of some advantage

for the fellow, transported with having his life given him; and the numbers of the men he had seen, besides his no experience in such sights, being multiplied by his fear, made notable relations of the strength, gallantry, and resolution of the enemy, and of the impossibility of resisting them; which, though it prevailed not with those in authority to yield, yet it strangely abated the hopes and courage of the people. So that when the king's soldiers fell on, after a volley or two, in which much execution was done, they threw down their arms, and run into the town; so that the foot had time to make room for the horse, who were now entered at both ends of the town, yet were not so near an end as they expected; for the streets were in many places barricadoed, which were obstinately defended by some soldiers and townsmen, who killed many men out of the windows of the houses; so that, it may be, if they had trusted only to their own strength, without compelling the country men to increase their number, and who being first frighted, and weary, disheartened their companions, that vile place might have cost more blood. Ramsey the governor was himself retired into the church with some officers, and from thence did some hurt; upon this, there being so many killed out of windows, fire was put to the next houses, so that a good part of the town was burned, and then the soldiers entered, doing less execution than could reasonably be expected; but what they spared in blood, they took in pillage, the soldiers inquiring little who were friends or foes.

This was the first garrison taken on either side; (for I cannot call Farnham castle in Surrey one,

whither some gentlemen who were willing to appear for the king had repaired, and were taken with less resistance than was fit, by sir William Waller, some few days before, and before it deserved the name of a garrison;) in which were taken, besides the governor, and other officers, who yielded upon quarter, above one thousand prisoners; great store of arms, four pieces of cannon, and a good quantity of ammunition, with all which the lieutenant-general returned safe to Oxford: though this victory was a little shadowed, by the unfortunate loss of a very good regiment of horse within a few days after; for the lord Grandison, by the miscarriage of orders, was exposed, at too great a distance from the army, with his single regiment of horse consisting of three hundred horse, and a regiment of two hundred dragoons, to the unequal encounter of a party of the enemy of five thousand horse and dragoons; and so was himself, after a retreat made to Winchester, there taken with all his party; which was the first loss [of that kind] the king sustained; and was without the least fault of the commander; who lessened the misfortune much by his making an escape himself with two or three of his principal officers, who were very welcome to Oxford.

The first thing the king applied himself to consult upon, after he was settled in his winter quarters, and despaired of any honest overtures for a peace, was, how to apply some antidote to that poison, which was sent into Scotland, in that declaration we mentioned before; the which he had not only seen, as an act communicated abroad and in many hands, but the Scottish earl of Lindsey,

who was then a commissioner lieger at London for Scotland, had presented [it] to him. And there was every day some motion in the house of commons to press the Scots, to invade the kingdom for their assistance, upon the growth of the earl of Newcastle's power in the north. And therefore, after full thoughts, the king writ to his privy-council of Scotland, (who, by the laws enacted when he was last there, had the absolute, indeed regal, power of that kingdom,) and took notice of that declaration, which had been sent to them, earnestly inviting, and in a manner challenging assistance from that his native kingdom of men and arms, for making a war against him, and making claim to that assistance by virtue of the late act of pacification.

He told them, "that, as he was at his soul "afflicted, that it had been in the power of any "factious, ambitious, and malicious persons, so far "to possess the hearts of many of his subjects of "England, as to raise this miserable distemper "and distraction in this kingdom against all his "real endeavours and actions to the contrary; so "he was glad, that that rage and fury had so far "transported them, that they applied themselves, "in so gross a manner, to his subjects of Scotland; "whose experience of his religion, justice, and "love of his people, would not suffer them to "believe those horrid scandals, laid upon his "majesty: and their affection, loyalty, and jealousy "of his honour, would disdain to be made instru-"ments to oppress their native sovereign, by "assisting an odious rebellion." He remembered them, "that he had from time to time acquainted

" his subjects of that kingdom with the accidents
" and circumstances which had disquieted this;
" how, after all the acts of justice, grace, and
" favour, performed on his part, which were or
" could be desired to make a people completely
" happy, he was driven, by the force and violence
" of rude and tumultuous assemblies, from his city
" of London, and his houses of parliament; how
" attempts had been made to impose laws upon
" his subjects, without his consent, and contrary
" to the foundation and constitution of the king-
" dom; how his forts, goods, and navy, had been
" seized, and taken from him by force, and em-
" ployed against him; his revenue, and ordinary
" subsistence, wrested from him: how he had been
" pursued with scandalous and reproachful lan-
" guage; bold, false, and seditious pasquils,
" and libels, publicly allowed against him; and
" had been told that he might, without want of
" modesty and duty, be deposed: that after all
" this, before any force raised by him, an army
" was raised, and a general appointed to lead that
" army against his majesty, with a commission to
" kill, slay, and destroy all such who should be
" faithful to him: that when he had been, by
" these means, compelled, with the assistance of
" his good subjects, to raise an army for his neces-
" sary defence, he had sent divers gracious mes-
" sages, earnestly desiring that the calamities and
" miseries of a civil war might be prevented by a
" treaty; and so he might know the grounds of
" that misunderstanding: that he was absolutely
" refused to be treated with, and the army, (raised,
" as was pretended, for the defence of his person,)

" brought into the field against him, gave him " battle; and, though it pleased God to give his " majesty the victory, destroyed many of his good " subjects, with as eminent danger to his own " person, and his children, as the skill and malice " of desperate rebels could contrive.

" Of all which, and the other indignities, which " had been offered to him, he doubted not the " duty and affection of his Scottish subjects would " have so just a resentment, that they would ex- " press to the world the sense they had of his " sufferings: and he hoped, his good subjects of " Scotland were not so great strangers to the " affairs of this kingdom, to believe that this mis- " fortune and distraction was begot and brought " upon him by his two houses of parliament; " though, in truth, no unwarrantable action against " the law could be justified even by that authority; " but that they well knew how the members of " both houses had been driven thence, insomuch " that, of above five hundred members of the " house of commons, there were not then there " above fourscore; and, of above one hundred of " the house of peers, not above fifteen or sixteen; " all which were so awed by a multitude of ana- " baptists, Brownists, and other persons, desperate, " and decayed in their fortunes, in and about the " city of London, that, in truth, their consultations " had not the freedom and privilege which belong " to parliament.

" Concerning any commissions granted by his " majesty to papists to raise forces, he referred " them to a declaration, lately set forth by him " upon the occasion of that scandal, which he

" likewise then sent them. And for his own true " and zealous affection to the protestant religion, " he would give no other instance than his own " constant practice, on which malice itself could " lay no blemish; and those many protestations he " had made in the sight of Almighty God, to " whom he knew he should be dearly accountable, " if he failed in the observation.

" For that scandalous imputation of his intention " of bringing in foreign force, as the same was " raised without the least shadow or colour of " reason, and solemnly disavowed by his majesty, " in many of his declarations; so there could not " be a clearer argument to his subjects of Scot- " land that he had no such thought, than that he " had hitherto forborne to require the assistance of " that his native kingdom; from whose obedience, " duty, and affection, he should confidently expect " it, if he thought his own strength here too weak " to preserve him; and of whose courage and " loyalty he should look to make use, before he " should think of any foreign aid to succour him. " And he knew no reasonable or understanding " man could suppose that they were obliged, or " enabled, by the late act of parliament in both " kingdoms, to obey the invitation that was made " to them by that declaration, when it was so " evidently provided for by that act, that as the " kingdom of England should not war against the " kingdom of Scotland, without consent of the " parliament of England, so the kingdom of Scot- " land should not make war against the kingdom " of England without the consent of the parliament " of Scotland."

He told them, "if the grave counsel and advice, "which they had given, and derived to the houses "of parliament here, by their act of the 22d of "April last, had been followed in a tender care of "his royal person, and of his princely greatness "and authority, there would not that face of con- "fusion have appeared, which now threatened this "kingdom: and therefore he required them to "communicate what he then writ to all his subjects "of that kingdom, and to use their utmost en- "deavours to inform them of the truth of his con- "dition; and that they suffered not the scandals "and imputations laid on his majesty by the malice "and treason of some men, to make any impres- "sion in the minds of his people, to the lessening "or corrupting their affections and loyalty to him; "but that they assured them all, that the hardness "he then underwent, and the arms he had been "compelled to take up, were for the defence of "his person and safety of his life; for the main- "tenance of the true protestant religion, for the "preservation of the laws, liberties, and consti- "tution of the kingdom, and for the just privileges "of parliament; and that he looked no longer for "a blessing from heaven, than he endeavoured the "defence and advancement of all these: and, he "could not doubt, a dutiful concurrence in his "subjects of Scotland, in the care of his honour, "and just rights, would draw down a blessing "upon that nation too."

Though his majesty well knew all the persons, to whom he directed this letter, to be those who were only able and willing to do him all possible disservice, yet he was sure by other instruments,

if they neglected, which, for that reason, they were not like to do, to publish it to the people there; which he believed might so far operate upon them, as the others would not be able to procure them to invade England; and other fruit of their allegiance he expected not, than that they should not rebel.

His majesty's next care was the procuring money for the payment of his army; that the narrow circuit which contained his quarters might not be so intolerably oppressed with that whole burden. And this was a very difficult matter; for the soldiery already grew very high, and would obey no orders or rules but of their own making; and prince Rupert considered only the subsistence, and advance of the horse, as his province, and indeed as if it had been a province apart from the army; and therefore would by no means endure that the great contributions, which the counties within command willingly submitted to, should be assigned to any other use than the support of the horse, and to be immediately collected, and received by the officers. So that the several garrisons, and all the body of foot, were to be constantly paid, and his majesty's weekly expense for his house borne, out of such money as could be borrowed. For, of all his own revenue, he had not yet the receiving a penny within his power; neither did he think fit to compel any one, even such who were known to have contributed freely to the parliament, to supply him: only by letters, and all other gentle ways, he invited those who were able, to consider how much their own security and prosperity was concerned, and depended upon the preservation of his rights;

and offered to sell any of his lands, or to give any personal security for whatsoever money would be lent to him at interest: for he had directed a grant to be prepared of several parks, and forests, and other crown-lands, to many persons of honour and great fortune about him, whose estates and reputation were well known; who were ready to be personally bound for whatsoever sums could be borrowed.

The affection of the university of Oxford was most eminent: for, as they had before, when the troubles first broke out, sent the king above ten thousand pounds out of the several stocks of the colleges, and the purses of particular persons, many whereof lent him all they had; so they now again made him a new present. By these means, and the loan of particular persons, especially from London, (for from thence, notwithstanding all the strict watch to the contrary, considerable sums were drawn,) the king, even above his hopes, was able to pay his foot, albeit it amounted to above three thousand pounds weekly, in such manner, that during that whole winter there was not the least disorder for want of pay. Then he used all possible care to encourage and countenance new levies of horse and foot, for the recruiting his army against the next spring.

The [parliament's] army being now about London, the members of it who were members of parliament attended that council diligently, upon which the army alone depended; and, though they still seemed very desirous of peace, they very solemnly and severely prosecuted all those who really endeavoured it. Their partiality and injustice was

so notorious, that there was no rule or measure of right in any matter depending before them, but consideration only of the affections and opinions of the persons contending; neither could any thing be more properly said of them, than what Tacitus once spoke of the Jews, *apud ipsos fides obstinata, misericordia in promptu, adversus omnes alios hostile odium.* Volumes would not contain the instances. But they found the old arguments of popery, the militia, and delinquents, for the justification of the war, grew every day of less reverence with the people; and that as the king's own religion was above any scandal they could lay upon it, so the regal power seemed so asserted by law, and the king, on all occasions, cited particular statutes for the vindication of his right, that whilst they confessed the sovereign power to be vested in him, all legal ministers had that dependence on him, that their authority would by degrees grow into contempt.

And of this disadvantage the season of the year put them in mind: for the king now, according to course, pricked sheriffs, and made such choice in all counties, that they foresaw the people were not like to be so implicitly at their disposal. Therefore, as they had before craftily insinuated the same in some particulars, they now barefaced avow, "that the sovereign power was wholly and entirely "in them; and that the king himself, severed "from them, had no regal power in him." Their clergy had hitherto been their champions, and wrested the scripture to their sense; their lawyers were now to vindicate their title, and they were not more modest in applying their profession to

their service. As all places of scripture, or in the fathers, which were spoken of the church of Christ, are by the papists applied to the church of Rome; so whatsoever is written in any of the books of the law, or mentioned in the records, of the authority and effects of the sovereign power, and of the dignity and jurisdiction of parliament, was, by these men, alleged and urged for the power of the two houses, and sometimes for the single authority of the house of commons. Being supplied with the learning of these gentlemen, they declared, that "the sheriffs, then constituted by "the king, were not legal sheriffs, nor ought to "execute, or be submitted to in that office;" and ordered, "whomsoever the king made sheriff in "any county, to be sent for as a delinquent:" and because it seemed unreasonable, that the counties should be without that legal minister, to whom the law had intrusted its custody, it was proposed, "that they might make a new great seal, and by "that authority make sheriffs, and such other "officers as they should find necessary;" but for the present that motion was laid aside.

The king had appointed some of those prisoners who were taken in the battle of Keinton-field, and others apprehended in the act of rebellion, to be indicted of high treason, upon the statute of the 25th year of king Edward the Third, before the lord chief justice, and other learned judges of the law, by virtue of his majesty's commission of oyer and terminer: they declared "all such indictments, "and all proceedings thereupon, to be unjust and "illegal;" and inhibited the judges to proceed farther therein; declaring, (which was a stronger

argument,) " that if any man were executed, or " suffered hurt, for any thing he had done by their " order, the like punishment should be inflicted, by " death or otherwise, upon such prisoners as were, " or should be, taken by their forces:" and in none of these cases ever asked the judges what the law was. By the determination of the statute, and the king's refusal, which hath been mentioned before, to pass any new law to that purpose, there was no farther duty of tonnage and poundage due upon merchandise, and the statute made this very parliament involved all men in the guilt and penalty of a præmunire, who offered to receive it. The king published a proclamation upon that statute, " and required all men to forbear paying that duty, " and forbid all to receive it." They again declared, " that no person, who received those duties " by virtue of their orders, was within the danger " of a præmunire, or any other penalty whatso- " ever; because the intent and meaning of that " penal clause was only to restrain the crown from " imposing any duty or payment upon the subjects, " without their consent in parliament; and was " not intended to extend to any case whereunto " the lords and commons give their assent in par- " liament."

And that this sovereignty might be farther taken notice of than within the limits of this kingdom, they sent, with all formality, letters of credence, and instructions, and their agents, into foreign states and kingdoms.

By their agent to the United Provinces, where the queen was then residing, they had the courage, in plain terms, to accuse the prince of Orange " for

" supplying the king with arms and ammunition;
" for licensing divers commanders, officers, and
" soldiers, to resort into this kingdom to his aid."
They remembered them " of the great help that
" they had received from this kingdom, when here-
" tofore they lay under the heavy oppression of
" their princes; and how conducible the friendship
" of this nation had been to their present great-
" ness and power; and therefore they could not
" think, that they would be forward to help to
" make them slaves, who had been so useful, and
" assistant in making them free men; or that they
" would forget, that their troubles and dangers
" issued from the same fountain with their own;
" and that those who were set awork to undermine
" religion and liberty in the kingdom, were the
" same who by open force did seek to bereave them
" of both." They told them, " it could not be un-
" known to that wise state, that it was the jesuiti-
" cal faction in this kingdom, that had corrupted
" the counsels of the king, the consciences of a
" great part of the clergy; which sought to de-
" stroy the parliament, and had raised the rebellion
" in Ireland." They desired them therefore, " not
" to suffer any more ordnance, armour, or any
" other warlike provision, to be brought over to
" strengthen those, who, as soon as they should
" prevail against the parliament, would use that
" strength to the ruin of those from whom they
" had it."

They desired them, " they would not send over
" any of their countrymen to further their destruc-
" tion, who were sent to them for their preserva-
" tion; that they would not anticipate the spilling

" of English blood, in an unnatural civil war, which " had been so cheerfully and plentifully hazarded, " and spent, in that just and honourable war by " which they had been so long preserved, and to " which the blood of those persons, and many other " subjects of this kingdom, was still in a manner " dedicated; but rather that they would cashier, " and discard from their employment, those that " would presume to come over for that purpose." They told them, " the question between his ma- " jesty and the parliament was not whether he " should enjoy the same prerogative and power, " which had belonged to their former kings, his " majesty's royal predecessors; but whether that " prerogative and power should be employed to " their defence, or to their ruin; that it could not " be denied by those, who look indifferently on " their proceedings and affairs, that it would be " more honour and wealth, safety and greatness to " his majesty, in concurring with his parliament, " than in the course in which he now is: but so " unhappy had his majesty and the kingdom been, " in those who had the greatest influence upon his " counsels, that they looked more upon the pre- " vailing of their own party, than upon any those " great advantages, both to his crown and royal " person, which he might obtain by joining with " his people: and so cunning were those factors " for popery, in prosecution of their own aims, that " they could put on a counterfeit visage of honour, " peace, and greatness, upon those courses and " counsels, which had no truth and reality, but of " weakness, dishonour, and miseries to his majesty, " and the whole kingdom."

They said, "they had lately expressed their "earnest inclinations to that national love and "amity with the United Provinces, which had been "nourished and confirmed by so many civil re-"spects, and mutual interests, as made it so na-"tural to them, that they had, this parliament, in "their humble petition, desired, that they might "be joined with that state in a more near and "strait league and union: and they could not but "expect some returns from them, of the like ex-"pressions; and that they would be [so] far from "blowing the fire, which began to kindle among "them, that they would rather endeavour to quench "it, by strengthening and encouraging them who "had no other design but not to be destroyed, and "to preserve their religion, save themselves, and "the other reformed churches of Christendom, "from the massacres and extirpations, with which "the principles of the Roman religion did threaten "them all; which were begun to be acted in Ire-"land, and in the hopes, and endeavours, and "intentions of that party had long since been "executed upon them, if the mercy, favour, and "blessing of Almighty God had not superabounded, "and prevented the subtilty and malignity of cruel, "wicked, and bloodthirsty men."

With this specious despatch, in which were many other particulars to render the king's cause ungracious, and their own very plausible, their agent, one Strickland, an obscure gentleman, was received by the States; and, notwithstanding the queen was then there, and the prince of Orange visibly inclined to assist the king with all his interests, and the interposition of the king's resident,

did not only hinder the States from giving the least countenance to the king's cause, but really so corrupted the English in the army, and in the court, that there was nothing designed to advance it by the prince of Orange himself, (who with great generosity supplied the king with arms and ammunition to a very considerable value,) or by the private activity and dexterity of particular persons, out of their own fortune, or by the sale or pawning of jewels, but intelligence was given soon enough to the parliament, either to get stops, and seizures upon it, by order of the state, or to intercept the supply by their navy at sea. So that much more was in that manner, and by that means, taken and intercepted at sea, than ever arrived at any port within his majesty's obedience: of which at that time he had only one, the harbour of Newcastle. With the same success they sent another agent to Brussels, who prevailed with don Francisco de Melos, then governor of Flanders, to discountenance always, and sometimes to prevent, the preparations which were there making by the king's ministers. And in France they had another agent, one Aulgier, a man long before in the constant pay of the crown; who, though he was not received, and avowed, (to put the better varnish upon their professions to the king,) by that crown, did them more service than either of the other; by how much more that people had an influence upon the distempers of the three kingdoms.

And as the parliament made all these addresses to foreign states and princes, which no parliament had ever done before, so it will be fit here to take notice how other princes appeared concerned on

the king's behalf. The Spaniard was sufficiently incensed by the king's reception of the ambassadors of Portugal, and, which was more, entering into terms of amity and league with that crown, and had therefore contributed notable assistance to the rebellion in Ireland, and sent both arms and money thither. And since the extravagances of this parliament, the ambassador of that king had made great application to them.

The French, according to their nature, were much more active, and more intent upon blowing the fire. The former commotions in Scotland had been raised by the special encouragement, if not contrivance, of the cardinal Richelieu; who had carefully kept up and enlarged the old franchises of the Scots under that crown; which made a very specious show of wonderful grace and benefit, at a distance, to that nation, and was of little burden to the French; and, in truth, of little advantage to those who were in full possession of all those relations. Yet, by this means, the French have always had a very great influence upon the affections of that people, and opportunities to work great prejudice to that crown: as nothing was more visible than that, by that cardinal's activity, all those late distempers in Scotland were carried on till his death, and, by his rules and principles, afterwards: the French ministers always making their correspondence with, and relation to those who were taken notice to be of the puritan party; which was understood to be in order only to the opposition of those counsels, which should at any time be offered on the behalf of Spain.

Since the beginning of this parliament, the

French ambassador, monsieur la Ferté, dissembled not to have notable familiarity with those who governed most in the two houses; discovered to them whatsoever he knew, or could reasonably devise to the prejudice of the king's counsels and resolutions; and took all opportunities to lessen and undervalue the king's regal power, by applying himself on public occasions of state, and in his master's name, and to improve his interest, to the two houses of parliament, (which had in no age before been ever known,) as in the business of transportation of men out of Ireland, before remembered; in which he caused, by the importunity of the two houses, his majesty's promise and engagement to the Spanish ambassador to be rendered of no effect. And, after that, he formally exhibited, in writing, a complaint to the two houses against sir Thomas Rowe, his majesty's extraordinary ambassador to the emperor, and princes of Germany, upon the treaty of an accommodation on the behalf of the prince elector and restitution of the palatinate, confidently avowing, "that sir Thomas Rowe "had offered, on the king's part, to enter into a "league offensive and defensive with the house of "Austria, and to wed all their interests;" and, in plain terms, asked them, "whether they had given "him instructions to that purpose?" expressing a great value his master had of the affection of the parliament of England; which drew them to a return of much and unusual civility, and to assure the French king, "that sir Thomas Rowe had no "such instructions from them; and that they would "examine the truth of it; and would be careful "that nothing should be done and perfected in

" that treaty, which might reflect upon the good " of the French king." Whereas in truth there was not the least ground or pretence for that suggestion; sir Thomas Rowe having never made any such offer, or any thing like it. And when, after his return out of Germany, he expostulated with the French ambassador, for such an injurious, causeless information, he answered, " that since " his master had received such advertisement, and " had given him order to do what he did." So that it easily appeared, it was only a fiction of state, whereby they took occasion to publish, that they would on any occasion resort to the two houses, and thereby to flatter them in their usurpation of any sovereign authority.

There is not a sadder consideration (and I pray God the almighty justice be not angry with, and weary of the government of kings and princes, for it is a strange declension monarchy is fallen to, in the opinion of the common people within these late years) than this passion and injustice, in Christian princes, that they are not so solicitous that the laws be executed, justice administered, and order preserved within their own kingdoms, as they are that all three may be disturbed and confounded amongst their neighbours. And therefore there is no sooner a spark of dissension, a discomposure in affections, a jealousy in understandings, discerned to be in or to be easy to be infused into a neighbour province, or kingdom, to the hazarding of the peace thereof, but they, though in league and amity, with their utmost art and industry, make it their business to kindle that spark into a flame, and to contract and ripen all unsettled humours, and jealous

apprehensions, into a peremptory discontent, and all discontent to sedition, and all sedition to open and professed rebellion. And they have never so ample satisfaction in their own greatness, or so great a sense and value of God's blessing upon them, as when they have been instruments of drawing some notorious calamity upon their neighbours. As if the religion of princes were nothing but policy, enough to make all other kingdoms but their own miserable: and that, because God hath reserved them to be tried only within his own jurisdiction, and before his own tribunal, that he means to try them too by other laws, and rules, than he hath published to the world for his servants to walk by. Whereas they ought to consider, that God hath placed them over his people as examples, and to give countenance to his laws by their own strict observation of them; and that as their subjects are to be defended and protected by them, so themselves are to be assisted and supported by one another; the function of kings being a classis by itself: and as a contempt and breach of every law is, in the policy of states, an offence against the person of the king, because there is a kind of violence offered to his person in the transgression of that rule without which he cannot govern; so the rebellion of subjects against their prince ought to be looked upon, by all other kings, as an assault of their own sovereignty, and a design against monarchy itself; and consequently to be suppressed, and extirpated, in what other kingdom soever it is, with the same concernment as if it were in their own bowels.

Besides these indirect artifices, and activity in

the French ambassador, the Hugonots in France (with whom this crown heretofore, it may be, kept too much correspondence) were declared enemies to the king; and, in public and in secret, gave all possible assistance to those whose business was to destroy the church. And as this animosity proved of unspeakable inconvenience and damage to the king, throughout all these troubles, and of equal benefit to his enemies; so the occasion, from whence those disaffections grew, was very unskilfully and imprudently administered by the state here. Not to speak of the business of Rochelle, which, though it stuck deep in all, yet most imputed the counsels of that time to men that were dead, and not to a fixed design of the court; but they had a greater quarrel, which made them believe, that their very religion was persecuted by the church of England.

When the reformation of religion first began in England, in the time of king Edward the Sixth, very many, out of Germany and France, left their countries, where the reformation was severely persecuted, and transplanted themselves, their families, and estates, into England, where they were received very hospitably; and that king, with great piety and policy, by several acts of state, granted them many indemnities, and the free use of churches in London for the exercise of their religion: whereby the number of them increased; and the benefit to the kingdom, by such an access of trade, and improvement of manufactures, was very considerable. The which queen Elizabeth finding, and well knowing that other notable uses of them might be made, enlarged their privileges by new concessions; drawing, by all means, greater numbers over, and

suffering them to erect churches, and to enjoy the exercise of their religion after their own manner, and according to their own ceremonies, in all places, where, for the conveniency of their trade, they chose to reside. And so they had churches in Norwich, Canterbury, and other places of the kingdom, as well as in London; whereby the wealth of those places marvellously increased. And, besides the benefit from thence, the queen made use of them in her great transactions of state in France, and the Low Countries, and, by the mediation and interposition of those people, kept an useful interest in that party, in all the foreign dominions where they were tolerated. The same charters of liberty were continued and granted to them, during the peaceable reign of king James, and in the beginning of this king's reign, although, it may be, the politic considerations in those concessions, and connivances, were neither made use of, nor understood.

Some few years before these troubles, when the power of churchmen grew more transcendent, and indeed the faculties and understandings of the lay-counsellors more dull, lazy, and unactive, (for, without the last, the first could have done no hurt,) the bishops grew jealous that the countenancing another discipline of the church here, by order of the state, (for those foreign congregations were governed by a presbytery, according to the custom and constitution of those parts of which they had been natives: for the French, Dutch, and Walloons had the free use of several churches according to their own discipline,) would at least diminish the reputation and dignity of the episcopal government, and give some

hope and countenance to the factious and schismatical party in England to hope for such a toleration.

Then there wanted not some fiery, turbulent, and contentious persons of the same congregations, who, upon private differences and contests, were ready to inform against their brethren, and to discover what, they thought, might prove of most prejudice to them; so that, upon pretence that they far exceeded the liberties which were granted to them, and that, under the notion of foreigners, many English separated themselves from the church, and joined themselves to those congregations, (which possibly was in part true,) the council-board connived, or interposed not, [whilst] the bishops did some acts of restraint, with which that tribe grew generally discontented, and thought the liberty of their consciences to be taken from them; and so in London there was much complaining of this kind, but much more in the diocese of Norwich; where Dr. Wren, the bishop there, passionately and furiously proceeded against them: so that many left the kingdom, to the lessening the wealthy manufacture there of kerseys, and narrow cloths, and, which was worse, transporting that mystery into foreign parts.

And, that this might be sure to look like more than what was necessary to the civil policy of the kingdom, whereas, in all former times, the ambassadors, and all foreign ministers of state, employed from England into any parts where the reformed religion was exercised, frequented their churches, gave all possible countenance to their profession, and held correspondence with the most active and

powerful persons of that relation, and particularly the ambassador lieger at Paris from the time of the reformation had diligently and constantly frequented the church at Charenton, and held a fair intercourse with those of that religion throughout the kingdom, by which they had still received advantage, that people being industrious and active to get into the secrets of the state, and so deriving all necessary intelligence to those whom they desired to gratify: the contrary whereof was now with great industry practised, and some advertisements, if not instructions, given to the ambassadors there, "to forbear any extraordinary commerce with that "tribe." And the lord Scudamore, who was the last ordinary ambassador there, before the beginning of this parliament, whether by the inclination of his own nature, or by advice from others, not only declined going to Charenton, but furnished his own chapel, in his house, with such ornaments, (as candles upon the communion-table, and the like,) as gave great offence and umbrage to those of the reformation, who had not seen the like: besides that he was careful to publish, upon all occasions, by himself, and those who had the nearest relation to him, "that the church of England looked not "on the Hugonots as a part of their communion;" which was likewise too much and too industriously discoursed at home.

They who committed the greatest errors this way, had, no doubt, the least thoughts of making any alterations in the church of England, as hath been uncharitably conceived: but (having too just cause given them to dislike the passion, and license, that was taken by some persons in the reformed

churches, under the notion of conscience and religion, to the disturbance of the peace of kingdoms) unskilfully believed, that the total declining the interest of that party, where it exceeded the necessary bounds of reformation, would make this church of England looked upon with more reverence; and that thereby the common adversary, the papist, would abate somewhat of his arrogance and superciliousness; and so all parties, piously considering the charity which religion should beget, might, if not unite, yet refrain from the bitterness and uncharitableness of contention in matters of opinion, severed from the practical duties of Christians and subjects. And so, contracting their considerations in too narrow a compass, [these men] contented themselves with their pious intentions, without duly weighing objections, or the circumstances of policy. And they who differed with them in opinion in this point, though they were in the right, not giving, and, it may be, not knowing the right reasons, rather confirmed than reformed them in their inclinations: neither of them discerning the true and substantial grounds of policy, upon which those conclusions had been founded, which they were now about to change: and so the church of England, not giving the same countenance to those of the religion in foreign parts, which it had formerly done, no sooner was discerned to be under a cloud at home, but those of the religion abroad were glad of the occasion to publish their malice against her, and to enter into the same conspiracy against the crown, without which they could have done little hurt to the church.

After all discourses and motions for peace were,

for a time, laid aside; and new thoughts of victory, and utterly subduing the king's party, again entertained; they found one trouble falling upon them, which they had least suspected, want of money; all their vast sums collected, upon any former bills, passed by the king for the relief of Ireland, and payment of the debt to the Scots, and all their money upon subscriptions of plate, and loans upon the public faith, which amounted to incredible proportions, were even quite wasted; and their constant expense was so great, that no ordinary supply would serve their turn; and they easily discerned, that their money only, and not their cause, procured them soldiers of all kinds; and that they could never support their power, if their power was not able to supply them. All voluntary loans were at an end, and the public faith thought a security not to be relied on; by how much greater the difficulty was, by so much the more fatal would the sinking under it prove; and therefore it was with the more vigour to be resisted. In the end, they resolved upon the full execution of their full sovereign power, and to let the people see what they might trust to; in which it is necessary to observe the arts and degrees of their motion.

They first ordered, "that committees should be "named in all counties, to take care for provisions "of victuals for the army, and also for the taking "up of horses for service in the field, dragooners "and draught horses, and for borrowing of money "and plate to supply the army: and upon certificate "from these committees," (who had power to set what value or rates they pleased upon these provisions of any kind,) "the same should be entered

" with their treasurer, who should hereafter repay " the same." It was then alleged, " that this would " only draw supplies from their friends, and the " well affected; and that others, who either liked " not their proceedings, or loved their money " better than the liberty of their country, would " not contribute." Upon this it was ordered, " that in case the owners refused to bring in " money, provisions, plate, and horse, upon the " public faith, for the use of the army; for the " better preventing the spoil, and embezzling of " such provisions of money, plate, and horses, by " the disorder of the soldiers, and that they may " not come into the hands of the enemies, that " the committees, or any two of them, should be " authorized, and enabled to send for such pro- " visions, money, plate, and horses; and to take " the same into their custody, and to set indifferent " value and rate upon them; which value they " should certify to the treasurers, for the propor- " tions to be repaid at such time, and in such " manner, as should be ordered by both houses of " parliament."

This was done only to shew what they meant to do over all England, and as a stock of credit to them. For at present it would neither supply their wants; neither was it seasonable for them, or indeed possible to endeavour the execution of it in many counties. London was the place from whence only their present help must come. To them therefore they declared, " that the king's army had " made divers assessments upon several counties, " and the subjects were compelled, by the soldiers, " to pay the same; which army, if it continued,

" would soon ruin and waste the whole kingdom;
" and overthrow religion, law, and liberty: that
" there was no probable way, under God, for the
" suppressing that army, and other ill affected
" persons, but by the army raised by the authority
" of the parliament; which army could not be
" maintained, without great sums of money; and
" for raising such sums, there could be no act of
" parliament passed with his majesty's assent,
" albeit there was great justice that such money
" should be raised: that, hitherto, the army had
" been, for the most part, maintained by the volun-
" tary contributions of well affected people, who
" had freely contributed according to their abilities:
" that there were divers others within the cities of
" London and Westminster, and the suburbs, that
" had not contributed at all towards the mainte-
" nance of that army, or if they had, yet not an-
" swerable to their estates; who notwithstanding
" received benefit and protection by the same
" army, as well as any others; and therefore it
" was most just, that they should, as well as others,
" be charged to contribute to the maintenance
" thereof."

Upon these grounds and reasons, it was ordained,
" by the authority of parliament, that Isaac Pen-
" nington, the then lord mayor of London, and
" some other aldermen, and citizens, or any four
" of them, should have power and authority to
" nominate, and appoint, in every ward, within
" the city of London, six such persons as they
" should think fit, who should have power to
" inquire of all who had not contributed upon the
" propositions concerning the raising of money,

" plate, &c. and of such able men who had contri-
" buted, yet not according to their estates and abi-
" lities; and those persons so substituted, or any
" four of them, within their several wards and
" limits, should have power to assess all persons
" of ability who had not contributed, and also
" those who had contributed, yet not according to
" their ability, to pay such sums of money, accord-
" ing to their estates, as the assessors, or any four
" of them, should think reasonable, so as the same
" exceeded not the twentieth part of their estates;
" and to nominate fit persons for the collection
" thereof. And if any person so assessed should
" refuse to pay the money so assessed upon him,
" it should be lawful for the assessors and collect-
" ors to levy that sum by way of distress, and sale
" of the goods of persons so refusing. And if any
" person distrained should make resistance, it
" should be lawful for the assessors and collectors
" to call to their assistance any of the trained
" bands of London, or any other his majesty's
" subjects; who were required to be aiding and
" assisting to them. And the burgesses of West-
" minster and Southwark, and a committee ap-
" pointed to that purpose, were to do the same
" within those limits, as the other in London."

And that there might be no stratagem to avoid this tax, (so strange and unlooked for,) by a second ordinance in explanation of the former, they ordained, " that, if no sufficient distress could be " found for the payment of what should be assessed, " the collectors should have power to inquire of " any sum of money due to those persons so " assessed, from what persons soever, for rents,

" goods, or debts, or for any other thing or cause " whatsoever. And the collectors had power to " receive all such debts, until the full value of the " sums so assessed, and the charges in levying or " recovering the same, should be satisfied: and " lest the discovery of those debts might be diffi- " cult, the same collectors had power to compound " for any rents, goods, or debts, due to such per- " sons so assessed, with any person by whom the " same was due, and to give full discharges for the " money so compounded for, which should be good " and effectual to all purposes. And if the money " assessed could not be levied by any of these ways, " then the persons assessed should be imprisoned " in such places of the kingdom, and for so long " time, as the committee of the house of commons " for examinations should appoint, and order; and " the families of all such persons so imprisoned " should no longer remain within the cities of " London or Westminster, the suburbs, or the " counties adjacent. And all assessors and col- " lectors should have the protection of both houses " of parliament, for their indemnity in that service, " and receive allowance for their pains and " charges." Several additional and explanatory orders they made for the better execution of this grand one, by every of which some clause of severity, and monstrous irregularity, was added; and, for the complement of all, they ordered that themselves, the members of either house, should not be assessed by any body.

The truth is, the king was not sorry to see this ordinance, which he thought so prodigious, that he should have been a greater gainer by it than they

that made it; which he thought was so palpable and clear a demonstration of the tyranny the people were to live under, that they would easily have discerned the change of their condition: yet he took so much pains, to awaken his subjects to a due apprehension of it, and to apply the thorough consideration of it to them, that he published a declaration upon that ordinance; the which, presenting many things to them, which have since fallen out, may be, in this place, fit to be inserted in the king's own words, which were these:

"It would not be believed, (at least great "pains have been taken that it might not,) that "the pretended ordinance of the militia, (the first "attempt that ever was, to make a law by ordi- "nance, without our consent,) or the keeping us "out of Hull, and taking our arms and ammunition "from us, could any way concern the interest, "property, or liberty of the subject: and it was "confessed, by that desperate declaration itself of "the 26th of May, that if they were found guilty "of that charge of destroying the title and interest "of our subjects to their lands and goods, it were "indeed a very great crime. But it was a strange "fatal lethargy which had seized our good peo- "ple, and kept them from discerning that the "nobility, gentry, and commonalty of England "were not only stripped of their preeminences and "privileges, but of their liberties and estates, when "our just rights were denied us; and that no sub- "ject could from thenceforth expect to dwell at "home, when we were driven from our houses and "our towns. It was not possible, that a commis-

" sion could be granted to the earl of Essex, to " raise an army against us, and, for the safety of " our person, and preservation of the peace of the " kingdom, to pursue, kill, and slay us, and all " who wish well to us, but that, in a short time, " inferior commanders, by the same authority, " would require our good subjects, for the main- " tenance of the property of the subject, to supply " them with such sums of money as they think fit, " upon the penalty of being plundered with all ex- " tremity of war, (as the title of sir Edward Bain- " ton's warrant runs, against our poor subjects in " Wiltshire,) and by such rules of unlimited arbi- " trary power as are inconsistent with the least " pretence or shadow of that property, it would " seem to defend.

" If there could be yet any understanding so un- " skilful and supine to believe, that these disturbers " of the public peace do intend any thing but a " general confusion, they have brought them a sad " argument to their own doors to convince them. " After this ordinance and declaration, it is not in " any sober man's power to believe himself to be " worth any thing, or that there is such a thing as " law, liberty, or property, left in England, under " the jurisdiction of these men. And the same " power that robs them now of the twentieth part " of their estates, hath, by that, but made a claim, " and entitled itself to the other nineteen, when it " shall be thought fit to hasten the general ruin. " Sure, if the minds of all men be not stubbornly " prepared for servitude, they will look on this " ordinance, as the greatest prodigy of arbitrary

" power and tyranny, that any age hath brought " forth in any kingdom. Other grievances (and " the greatest) have been conceived intolerable, " rather by the logic and consequence, than by the " pressure itself: this at once sweeps away all that " the wisdom and justice of parliaments have pro- " vided for them. Is their property in their estates, " (so carefully looked to by their ancestors, and so " amply established by us, against any possibility " of invasion from the crown,) which makes the " meanest subject as much a lord of his own as the " greatest peer, to be valued, or considered? Here " is a twentieth part of every man's estate, or so " much as four men will please to call the twentieth " part, taken away at once, and yet a power left " to take a twentieth still of that which remains; " and this to be levied by such circumstances of seve- " rity, as no act of parliament ever consented to.

" Is their liberty, which distinguishes subjects " from slaves, and in which this freeborn nation " hath the advantage of all Christendom, dear to " them? They shall not only be imprisoned in " such places of this kingdom, (a latitude of judg- " ment no court can challenge to itself in any " cases,) but for so long time as the committee of " the house of commons for examination shall ap- " point and order: the house of commons itself " having never assumed, or in the least degree " pretended to, a power of judicature; having no " more authority to administer an oath, the only " way to discover and find out the truth of facts, " than to cut off the heads of any of our subjects: " and this committee being so far from being a

" part of the parliament, that it is destructive to " the whole, by usurping to itself all the power of " king, lords, and commons. All who know any " thing of parliaments know that a committee of " either house ought not, by the law, to publish " their own results; neither are their conclusions " of any force, without the confirmation of the " house, which hath the same power of controlling " them, as if the matter had never been debated. " But that any committee should be so contracted, " (as this of examination, a style no committee " ever bore before this parliament,) as to exclude " the members of the house, who are equally " trusted by their country, from being present at " the counsels, is so monstrous to the privileges of " parliament, that it is no more in the power of " any man to give up that freedom, than of him- " self to order, that, from that time, the place for " which he serves shall never more send a knight " or burgess to the parliament; and in truth is no " less than to alter the whole frame of government, " to pull up parliaments by the roots, and to com- " mit the lives, liberties, and estates, of all the " people of England to the arbitrary power of a " few unqualified persons, who shall dispose there- " of according to their discretion, without account " to any rule or authority whatsoever.

" Are their friends, their wives, and children, " the greatest blessings of peace, and comforts of " life, precious to them? Would their penury and " imprisonment be less grievous by those cordials? " They shall be divorced from them, banished, and " shall no longer remain within the cities of London

" and Westminster, the suburbs and the counties
" adjacent; and how far those adjacent coun-
" ties shall extend no man knows. Is there now
" any thing left to enjoy but the liberty to rebel,
" and destroy one another? Are the outward
" blessings only of peace, property, and liberty,
" taken and forced from our subjects? Are
" their consciences free and unassaulted by the
" violence of these firebrands? Sure the liberty
" and freedom of conscience cannot suffer by
" these men. Alas! all these punishments are im-
" posed upon them, because they will not submit to
" actions contrary to their natural loyalty, to their
" oaths of allegiance and supremacy, and to their
" late voluntary protestation, which obliges them
" to the care of our person, and our just rights.

" How many persons of honour, quality, and
" reputation, of the several counties of England,
" are now imprisoned, without any objections
" against them, but suspicion of their loyalty!
" How many of the gravest and most substantial
" citizens of London, by whom the government
" and discipline of that city was preserved, are dis-
" graced, robbed, and imprisoned, without any pro-
" cess of law, or colour of accusation, but of obedi-
" ence to the law and government of the kingdom!
" whilst anabaptists and Brownists, with the assist-
" ance of vicious and debauched persons of despe-
" rate fortunes, take upon them to break up and
" rifle houses, as public and avowed ministers of a
" new-invented authority. How many godly, pious,
" and painful divines, whose lives and learning
" have made them of reverend estimation, are now
" slandered with inclination to popery, discounte-

" nanced, and imprisoned, for discharging their " consciences, instructing the people in the Chris- " tian duty of religion and obedience! whilst schis- " matical, illiterate, and scandalous preachers fill " the pulpits and churches with blasphemy, irreve- " rence, and treason; and incite their auditory to " nothing but murder and rebellion.

" We pass over the vulgar charm, by which " they have captivated such who have been con- " tented to dispense with their consciences for the " preservation of their estates, and by which they " persuade men cheerfully to part with this twen- " tieth part of their estates to the good work in " hand. For whosoever will give what he hath " may escape robbing. They shall be repaid upon " the public faith, as all other monies lent upon " the propositions of both houses. It may be so. " But men must be condemned to a strange un- " thriftiness, who will lend upon such security. The " public faith indeed is as great an earnest as the " state can give, and engages the honour, reputa- " tion, and honesty of the nation, and is the act of " the kingdom: it is the security of the king, the " lords, and commons, which can never need an " executor, can never die, never be bankrupt; and " therefore we willingly consented to it for the in- " demnity of our good subjects of Scotland, (who, " we hope, will not think the worse of it for being " so often and so cheaply mentioned since.) But " that a vote of one, or both houses, should be an " engagement upon the public faith, is as impossible " as that the committee of the house of commons " for examination should be the high court of par- " liament.

"And what is or can be said, with the least "shadow of reason, to justify these extravagances? "We have not heard lately of the fundamental "laws, which used to warrant the innovations: "these need a refuge even below those founda- "tions. They will say, they cannot manage their "great undertakings without such extraordinary "ways. We think so too. But that proves only, "they have undertaken somewhat they ought not "to undertake, not that it is lawful for them to do "any thing that is convenient for those ends. "We remembered them long ago, and we can- "not do it too often, of that excellent speech of "Mr. Pym's. The law is that which puts a differ- "ence betwixt good and evil, betwixt just and "unjust: if you take away the law, all things will "be in a confusion, every man will become a law "unto himself; which, in the depraved condition "of human nature, must needs produce many "great enormities. Lust will become a law, and "envy will become a law, covetousness and am- "bition will become laws; and what dictates, what "decision, such laws will produce, may easily be "discerned: it may indeed by the sad instances "over the whole kingdom.

"But will posterity believe, that, in the same "parliament, this doctrine was avowed with that "acclamation, and these instances after produced? "That, in the same parliament, such care was "taken that no man should be committed in what "case soever, without the cause of his imprison- "ment expressed; and that all men should be "immediately bailed in all cases bailable; and, "during the same parliament, that alderman Pen-

" nington, or indeed any body else, but the sworn
" ministers of justice, should imprison whom they
" would, and for what they would, and for as long
" time as they would? That the king should be
" reproached with breach of privilege, for accusing
" sir John Hotham of high treason, when with
" force of arms he kept him out of Hull, and de-
" spised him to his face, because in no case a
" member of either house might be committed, or
" accused without leave of that house of which he
" is a member; and yet that, during the same
" parliament, the same alderman shall commit the
" earl of Middlesex, a peer of the realm, and the
" lord Buckhurst, a member of the house of com-
" mons, to the counter, without reprehension?
" That to be a traitor (which is defined, and every
" man understands) should be no crime; and to
" be called malignant, which nobody knows the
" meaning of, should be ground enough for close
" imprisonment? That a law should be made, that
" whosoever should presume to take tonnage and
" poundage without an act of parliament, should
" incur the penalty of a præmunire; and, in the
" same parliament, that the same imposition should
" be laid upon our subjects, and taken by order of
" both houses, without and against our consent?
" Lastly, that, in the same parliament, a law should
" be made to declare the proceedings and judg-
" ment upon ship-money to be illegal, and void;
" and, during that parliament, that an order of
" both houses shall, upon pretence of necessity,
" enable four men to take away the twentieth part
" of their estates from all their neighbours, ac-
" cording to their discretion?

"But our good subjects will no longer look "upon these and the like results, as upon the "counsels and conclusions of both our houses of "parliament; (though all the world knows, even "that authority can never justify things un- "warrantable by the law.) They well know how "few of the persons trusted by them are trusted "at their consultations, of above five hundred of "the commons not fourscore; and of the house "of peers, not a fifth part: that they who are "present enjoy not the privilege and freedom of "parliament, but are besieged by an army, and "awed by the same tumults which drove us and "their fellow members from thence, to consent to "what some few seditious, schismatical persons "among them do propose. These are the men, "who, joining with the anabaptists and Brownists "of London, first changed the government and "discipline of that city; and now, by the pride "and power of that city, would undo the kingdom: "whilst their lord mayor, a person accused and "known to be guilty of high treason, by a new "legislative power of his own, suppresses and re- "viles the Book of Common Prayer, robs and "imprisons whom he thinks fit; and, with the "rabble of his faction, gives laws to both houses "of parliament, and tells them, *They will have no* "*accommodation:* whilst the members sent, and "intrusted by their countries, are expelled the "house, or committed, for refusing to take the "oath of association to live and die with the earl "of Essex, as very lately sir Sydney Mountague. "These are the men who have presumed to "send ambassadors, and to enter into treaties

" with foreign states in their own behalfs, having " at this time an agent of their own with the states " of Holland, to negociate for them upon private " instructions: these are the men who, not think- " ing they have yet brought mischief enough unto " this kingdom, at this time invite and solicit our " subjects of Scotland, to enter this land with an " army against us: in a word, these are the men " who have made this last devouring ordinance " to take away all law, liberty, and property from " our people, and have by it really acted that upon " our people, which with infinite malice, and no " colour or ground, was laboured to be infused " into them, to have been our intention by the " commissions of array.

" We have done: What power and authority " these men have, or will have, we know not: for " ourself, we challenge none such. We look upon " the pressures and inconveniences our good sub- " jects bear, even by us, and our army, (which the " army first raised by them enforced us to levy in " our defence, and their refusal of all offers and " desires of treaty enforceth us to keep,) with very " much sadness of heart. We are so far from re- " quiring a twentieth part of their estates, though " for their own visible preservation, that, as we " have already sold or pawned our own jewels, " and coined our own plate, so we are willing to " sell all our own lands and houses for their relief: " yet we do not doubt but our good subjects will " seriously consider our condition, and their own " duties, and think our readiness to protect them " with the utmost hazard of our life, deserves their " readiness to assist us with some part of their

" fortunes; and, whilst other men give a twentieth " part of their estates to enable them to forfeit the " other nineteen, that they will extend them- " selves to us in a liberal and free proportion, for " the preservation of the rest, and for the main- " tenance of God's true religion, the laws of the " land, the liberty of the subject, and the safety " and very being of parliaments, and this king- " dom: for if all these ever were, or can be, in " manifest danger, it is now in this present rebel- " lion against us.

" Lastly, we will and require all our loving " subjects, of what degree or quality soever, as " they will answer it to God, to us, and to " posterity, by their oaths of allegiance and su- " premacy; as they would not be looked upon " now, and remembered hereafter, as betrayers of " the laws and liberties they were born to; that " they in no degree submit to this wild pretended " ordinance, and that they presume not to give " any encouragement or assistance to the army " now in rebellion against us; which if not- " withstanding they shall do, they must expect " from us the severest punishment the law can " inflict, and a perpetual infamy with all good " men."

Whatsoever every man could say to another against that ordinance, and whatsoever the king said to them all against it, it did bring in a great supply of money, and gave them a stock of credit to borrow more; so that the army was again drawn out, though but to winter quarters, twenty miles from London, and the earl of Essex fixed his head quarters at Windsor, to straiten the king's new

garrison at Reading, and sent strong parties still abroad, which got as much ground as, at that time of the year, could reasonably be expected; that is, brought those adjacent counties entirely under the obedience of the parliament, which would at least have kept themselves neutral: and still persuaded the people, "that their work was even at an end, "and that the king's forces would be swallowed "up in a very short time:" so that there was no day, in which they did not publish themselves to have obtained some notable victory, or taken some town, when in truth each party wisely abstained from disturbing the other: yet the bulk of their supply came only from the city of London. For though their ordinances extended over the whole kingdom, yet they had power to execute them only there; for it was not yet time to try the affections of all places within their own verge, with the severe exercise of that authority.

And therefore divers of the wealthiest and most substantial citizens of London, observing liberty to be taken by all men to petition the houses, and the multitude of the petitioners to carry great authority with them, and from those multitudes, and that authority, the brand to have been laid upon the city, "of being an enemy to peace," met together, and prepared a very modest and moderate petition to the houses; in which they desired "that "such propositions and addresses might be made "by them to his majesty, that he might with his "honour comply with them, and thereby a happy "peace ensue;" the which, being signed by many thousand hands, was ready to be presented, but was rejected by the house of commons, for no other

reason publicly given, but "that it was prepared "by a multitude;" and objections were framed against the principal promoters of it, upon other pretences of delinquency; that they were compelled to forsake the town, and so that party was, for the present, discountenanced.

At the same time the inhabitants of Westminster, St. Martin's, and Covent-garden, who always underwent the imputation of being well affected to the king, prepared the like petition, and met with the same reproach, being strictly inhibited to approach the houses with more than six in company. This unequal kind of proceeding added nothing to their reputation, and they easily discerned those humours, thus obstructed, would break out the more violently: therefore they again resumed all professions of a desire of peace, and appointed a committee to prepare propositions to be sent to the king to that purpose; and because they found that would be a work of time, (for the reasons which will be anon remembered,) and that many arts were to be applied to the several affections, and to wipe out the imagination that the city desired peace upon any other terms than they did, and the disadvantage that accrued to them by such imagination, and also to stay the appetite of those who were importunate to have any advance made towards peace, having procured, by the activity of their agents and ministers, to have such a common-council chosen for the city, as would undoubtedly comply with their desires and designs, they underhand directed their own mayor to engage that body in such a petition to his majesty, as, carrying the sense and reputation of the whole city, might

yet signify nothing to the prejudice of the two houses; and so a petition was framed in these words:

To the king's most excellent majesty;

The humble petition of the mayor, aldermen, and commons of the city of London,

"Sheweth,

"That the petitioners, your majesty's most humble and loyal subjects, being much pierced with "the long and great divisions between your majesty and both your houses of parliament, and "with the sad and bloody effects thereof, both "here and in Ireland, are yet more deeply wounded by the misapprehension, which your majesty "seemeth to entertain of the love and loyalty of "this your city, as if there were some cause of "fear, or suspicion of danger to your royal person, "if your majesty should return hither; and that "this is made the unhappy bar to that blessed reconciliation with your great and most faithful "council for preventing that desolation, and destruction, which is now most apparently imminent to your majesty, and all your kingdoms.

"For satisfaction therefore of your majesty, and "clearing of the petitioners' innocency, they most "humbly declare, as formerly they have done, that "they are no way conscious of any disloyalty, but "abhor all thoughts thereof; and that they are "resolved to make good their late solemn protestation, and sacred vow, made to Almighty "God; and, with the last drop of their dearest "bloods, to defend and maintain the true reformed

" protestant religion, and, according to the duty " of their allegiance, your majesty's royal person, " honour, and estate, (whatsoever is maliciously " and falsely suggested to your majesty to the " contrary,) as well as the power and privilege of " parliament, and the lawful rights and liberties " of the subject: and do hereby engage them- " selves, their estates, and all they have, to their " utmost power, to defend and preserve your ma- " jesty, and both houses of parliament, from all " tumults, affronts, and violence, with as much " loyalty, love, and duty, as ever citizens expressed " towards your majesty, or any of your royal pro- " genitors in their greatest glory.

" The petitioners therefore, upon their bended " knees, do most humbly beseech your majesty, to " return to your parliament, (accompanied with " your royal, not martial attendance,) to the end " that religion, laws, and liberties, may be settled " and secured, and whatsoever is amiss in church " and commonwealth reformed by their advice, " according to the fundamental constitutions of " this kingdom: and that such a peace may there- " by be obtained, as shall be for the glory of God, " the honour and happiness of your majesty and " posterity, and welfare of all your loyal subjects; " who, (the petitioners are fully assured,) whatso- " ever is given out to the contrary, do unanimously " desire the peace herein expressed."

Though this petition was in effect no other than to desire the king to disband his army, and to put himself into the absolute disposal of the parliament, and therefore all wise men concluded that no great progress would be made by it towards peace; yet,

(so sotted and infatuated were the people,) that, upon this very petition, they prevailed upon the people to submit to another subscription for money and plate, for the necessary provision of arms, ammunition, and pay of their army, until their disbanding and return home to their several counties: that so they might not be occasioned, through want of pay, to plunder, rob, or pillage by the way homewards, after their discharge and dismission. So that men were persuaded that this was now the last tax they should be invited to, though every one of those ordinances and declarations loaded the king with some new calumnies and reproaches, that it was plain the authors of them meant not so soon to put themselves under his subjection.

This petition was, about the tenth of January, 1642-3, presented to the king at Oxford, by some aldermen, and others of the common council, who were for the most part of moderate inclinations. The king considered sadly what answer to return; for, albeit it appeared that the petition had been craftily framed by those who had no thoughts of peace, and that there was no argument in it to hope any good from that people; yet there were, to vulgar understandings, very specious and popular professions of great piety, and zeal to his service, and care of his security; and he was to be very tender in seeming to doubt the inclinations and affections of that city, by whose strength alone the war was supported, and that strength procured by corrupting those affections: and therefore the king was not sorry to have this opportunity of saying somewhat, and communicating himself freely to the city, being persuaded, that the ill they did,

proceeded rather from misinformation, than any general and habitual malice in them. All his proclamations, messages, and declarations, had been with so much industry suppressed there, that they were not in truth generally informed of the matter of fact, and the justice of the king's cause; and therefore he was persuaded that if he enlarged himself, in his answer to this petition, and exposed those few men who were most notoriously malignant against the government of the church and state, and who were generally known to be so, to the knowledge of the people, that it would at least lessen their power and ability to do hurt: and so he resolved to return an answer to them in these words:

"That his majesty doth not entertain any mis-
" apprehension of the love and loyalty of his city
" of London; as he hath always expressed a sin-
" gular regard and esteem of the affections of that
" city, and is still desirous to make it his chief place
" of residence, and to continue, and renew many
" marks of his favour to it; so he believes, much
" the better and greater part of that his city is full
" of love, duty, and loyalty to his majesty; and
" that the tumults which heretofore forced his
" majesty, for his safety, to leave that place,
" though they were contrived and encouraged by
" some principal members thereof, (who are since
" well known, though they are above the reach of
" justice,) consisted more of desperate persons of
" the suburbs, and the neighbouring towns, (who
" were misled too by the cunning and malice of
" their seducers,) than of the inhabitants of that
" city. He looks on his good subjects there as

" persons groaning under the same burden which " doth oppress his majesty, and awed by the same " persons who begat those tumults, and the same " army which gave battle to his majesty: and " therefore, as no good subject can more desire, " from his soul, a composure of the general dis- " tractions; so no good citizen can more desire the " establishment of the particular peace and pro- " sperity of that place, by his majesty's access thi- " ther, than his majesty himself doth.

" But his majesty desires his good subjects of " London seriously to consider, what confidence " his majesty can have of security there, whilst " the laws of the land are so notoriously despised, " and trampled under foot, and the wholesome " government of that city, heretofore so famous " over all the world, is now submitted to the arbi- " trary power of a few desperate persons, of no " reputation, but for malice and disloyalty to him; " whilst arms are taken up, not only without, but " against his consent and express command, and " collections publicly made, and contributions " avowed, for the maintenance of the army which " hath given him battle, and therein used all pos- " sible means treason and malice could suggest to " them, to have taken his life from him, and to " have destroyed his royal issue; whilst such of " his majesty's subjects, who, out of duty and af- " fection to his majesty, and compassion of their " bleeding country, have laboured for peace, are " reviled, injured, and murdered, even by the ma- " gistrates of that city, or by their directions: " lastly, what hopes his majesty can have of safety " there, whilst alderman Pennington, their pre-

" tended lord mayor, the principal author of those " calamities which so nearly threaten the ruin of " that famous city, Ven, Foulke, and Manwairing, " all persons notoriously guilty of schism and high " treason, commit such outrages, in oppressing, " robbing, and imprisoning, according to their dis- " cretion, all such his majesty's loving subjects, " whom they are pleased to suspect but for wishing " well to his majesty.

" And his majesty would know, whether the " petitioners believe, that the reviling and sup- " pressing the book of common prayer, established " in this church ever since the reformation, the " discountenancing and imprisoning godly, learn- " ed, and painful preachers, and the cherishing and " countenancing of Brownists, anabaptists, and all " manner of sectaries, be the way to defend and " maintain the true reformed protestant religion ? " That to comply with and assist persons who have " actually attempted to kill his majesty, and to " allow and favour libels, pasquils, and seditious " sermons against his majesty, be to defend his " royal person, and honour, according to the duty " of their allegiance ? Whether to imprison men's " persons, and to plunder their houses, because " they will not rebel against his majesty, nor assist " those that do; whether to destroy their pro- " perty by taking away the twentieth part of their " estates from them, and, by the same arbitrary " power, to refer to four standers-by, of their own " faction, to judge what that twentieth part is, be " to defend the lawful rights and liberties of the " subject ? And if they think these actions to be " instances of either; whether they do not know

" the persons before named to be guilty of them " all? or whether they think it possible, that " Almighty God can bless that city, and preserve " it from destruction, whilst persons of such known " guilt and wickedness are defended, and justified " among them, against the power of that law, by " which they can only subsist?

" His majesty is so far from suffering himself to " be incensed against the whole city, by the actions " of these ill men, though they have hitherto been " so prevalent, as to make the affections of the " rest of little use to him; and is so willing to be " with them, and to protect them, that the trade, " wealth, and glory thereof, so decayed and eclipsed " by these public distractions, may again be the " envy of all foreign nations, that he doth once " more graciously offer his free and general par- " don to all the inhabitants of that his city of " London, the suburbs and city of Westminster, " (except the persons formerly excepted by his " majesty,) if they shall yet return to their duty, " loyalty, and obedience. And if his good subjects " of that his city of London shall first solemnly " declare, that they will defend the known laws of " the land, and will submit to, and be governed " by no other rule; if they shall first manifest, by " defending themselves, and maintaining their own " rights, liberties, and interests, and suppressing " any force and violence unlawfully raised against " those and his majesty, their power to defend and " preserve him from all tumults, affronts, and vio- " lence: lastly, if they shall apprehend, and com- " mit to safe custody, the persons of those four men " who enrich themselves by the spoil and oppres-

" sion of his loving subjects, and the ruin of the " city, that his majesty may proceed against them " by the course of law, as guilty of high treason; " his majesty will speedily return to them with his " royal, and without his martial attendance, and " will use his utmost endeavour, that they may " hereafter enjoy all the blessings of peace and " plenty; and will no longer expect obedience " from them, than he shall, with all the faculties " of his soul, labour in the preserving and ad- " vancing the true reformed protestant religion, " the laws of the land, the liberty and property " of the subjects, and the just privileges of par- " liament.

" If, notwithstanding all this, the art and in- " terest of these men can prevail so far, that they " involve more men in their guilt, and draw that " his city to sacrifice its present happiness, and " future hopes, to their pride, fury, and malice, his " majesty shall only give them this warning: that " whosoever shall henceforward take up arms, with- " out his consent, contribute any money or plate, " upon what pretence of authority soever, for main- " tenance of the army under the command of the " earl of Essex, or any other army in rebellion " against him, or shall pay tonnage and poundage, " till the same shall be settled by act of parliament, " every such person must expect the severest pun- " ishment the law can inflict; and, in the mean " time, his majesty shall seize upon any part of his " estate within his power, for the relief and sup- " port of him and his army, raised and maintained " for the defence of his person, the laws, and this " his kingdom: and since he denies to his majesty

" the duty and benefit of his subjection, by giving " assistance to rebels, which, by the known laws of " the land, is high treason; his majesty shall like- " wise deny him the benefit of his protection, and " shall not only signify to all his foreign ministers, " that such persons shall receive no advantage by " being his subject, but shall, by all other ways and " means, proceed against him as a public enemy to " his majesty and this kingdom.

" But his majesty hopes, and doubts not, but his " good subjects of London will call to mind the acts " of their predecessors, the duty, affection, loyalty, " and merit towards their princes, the renown they " have had with all posterity for, and the blessing " of Heaven which always accompanied, those vir- " tues; and will consider the perpetual scorn and " infamy which unavoidably will follow them and " their children, if infinitely the meaner part in " quality, and much the lesser part in number, " shall be able to alter the government so admir- " ably established, destroy the trade so excellently " settled, and to waste the wealth so industriously " gotten, of that flourishing city: and then they " will easily gather up the courage and resolution " to join with his majesty in defence of that reli- " gion, law, and liberty, which hitherto hath, and " only can, make themselves, his majesty, and his " kingdom, happy.

" For concurring with the advice of his two " houses of parliament, which, with reference to " the commonwealth, may be as well at this dis- " tance, as by being at Whitehall, his majesty " doubts not, but his good subjects of London well " know, how far, beyond the example of his pre-

" decessors, his majesty hath concurred with their " advice, in passing of such laws, by which he " willingly parted with many of his known rights, " for the benefit of his subjects; which the funda- " mental constitutions of this kingdom did not " oblige him to consent unto; and hath used all " possible means to beget a right understanding " between them: and will therefore apply them- " selves to those who, by making just, peaceable, " and honourable propositions to his majesty, can " only beget that concurrence."

This answer the king sent by a servant of his own, supposing, that if he sent by the messengers who brought the petition, it might either be suppressed, or not communicated in that manner as he desired. Besides, the messengers themselves, after the king had caused it to be read to them, were very well contented that it should be delivered by other hands than theirs. So they promised his majesty, that they would procure a common hall, (which is the most general assembly of the city, the meanest person being admitted,) to be called as soon as they returned; where his messenger might deliver it: and having been graciously used by the king and the court, after two days' stay, they returned from Oxford together with the gentleman sent by his majesty. When they came to London, the contents of the answer were quickly known, though not delivered; and the two houses made an order, " that the lord mayor should not " call a common hall, till he received farther di- " rection from them." So that, though the gentleman sent by the king often solicited the lord mayor, " that he would call a common hall, at

" which he was to deliver a message from the " king," many days passed before any orders were issued to that purpose.

At last, a day was appointed; and, at the same time, a committee of the lords and commons were sent to be present, to see that it might not have such a reception, as might render their interest suspected. As soon as the gentleman sent by the king had read his majesty's answer, the earl of Northumberland told them, " of the high value the " parliament had of the city; that they had con- " sidered of those wounding aspersions, which, in " that answer, were cast upon persons of such " eminent affection in their city, and upon others, " of great fidelity and trust among them: that " they owned themselves equally interested in all " things that concerned them, and would stand " by them with their lives and fortunes, for the " preservation of the city in general, and those " persons in particular who had been faithful, and " deserved well both of the parliament and king- " dom. And they would pursue all means with " their lives and fortunes, that might be for the " preservation of that city, and for the procuring " of safety, happiness, and peace, to the whole " kingdom."

As soon as his lordship had finished his oration, which was received with marvellous acclamations, Mr. Pym enlarged himself, [in a speech then print- ed,] upon the several parts of the king's answer, (for it was so long before it was delivered, that the printed copies from Oxford, which were printed there after the messenger was gone so long that all men concluded it was delivered, were public

and in all hands,) and told them the sense of the two houses of parliament, upon every part of it. Among the rest, "that the demanding the lord mayor, "and the other three citizens, was against the privi- "lege of parliament, (two of them being members "of the house of commons,) and most dishonour- "able to the city, that the lord mayor of London "should be subjected to the violence of every base "fellow; and that they should be commanded to "deliver up their chief magistrates, and such emi- "nent members of the city, to the king's pleasure, "only because they had done their duty, in ad- "hering to the parliament, for the defence of the "kingdom."

He told them, "that, to the objection that the "government of the city had been managed by a "few desperate persons, and that they did exer- "cise an arbitrary power, the two houses gave "them this testimony, that they had, in most of "the great occasions concerning the government "of the city, followed their direction; and that "direction which the parliament had given, they "had executed; and they must and would main- "tain to be such, as stood with their honour in "giving it, and the others' trust and fidelity in "performing it."

To the objection, "that the property of the sub- "ject was destroyed, by taking away the twentieth "part by an arbitrary power," he told them, "that "that ordinance did not require a twentieth part, "but did limit the assessors that they should not go "beyond a twentieth part, and that was done by a "power derived from both houses of parliament; "the lords, who had an hereditary interest in

" making of laws in this kingdom; and the com-
" mons, who were elected and chosen to represent
" the whole body of the commonalty, and trusted,
" for the good of the people, whenever they see
" cause to charge the kingdom." He said farther,
" that the same law which did enable the two
" houses of parliament to raise forces to maintain
" and defend the safety of religion, and of the
" kingdom, did likewise enable them to require
" contributions whereby those forces might be
" maintained; or else it were a vain power to
" raise forces, if they had not a power likewise to
" maintain them in that service for which they
" were raised." He observed, " that it was re-
" ported, that the king declared that he would
" send some messengers to observe their carriage
" in the city, and what was done among them:
" the parliament had just cause to doubt, that
" those would be messengers of sedition and
" trouble, and therefore desired them to ob-
" serve and find them out, that they might know
" who they were." He concluded with " com-
" mending unto their consideration the great
" danger that they were all in; and that the
" danger could not be kept off, in all likelihood, but
" by the army that was then on foot;" and assured
them, " that the lords and commons were so far
" from being frighted by any thing that was in that
" answer, that they had, for themselves, and the
" members of both houses, declared a farther con-
" tribution towards the maintenance of that army;
" and could not but hope, and desire, that the city,
" which had shewed so much good affection in the
" former necessities of the state, would be sensible

"of their own, and of the condition of the whole "kingdom, and add to that which they had "already done, some farther contribution, whereby "that army might be maintained for all their "safeties."

Whether the solemnity for the reception of this message after it was known what the contents were, and the bringing so great a guard of armed men to the place where it was to be delivered, frighted the well affected party of the city from coming thither, or frighted them, when they were there, from expressing those affections, I know not. But it is certain, these speeches and discourses were received and entertained with all imaginable applause, and [that meeting] was concluded with a general acclamation, "that they "would live and die with the houses," and other expressions of that nature. So that all thoughts of farther address, or compliance with his majesty, were so entirely and absolutely laid aside, that the license of seditious and treasonable discourses daily increased; insomuch, that complaint being made to the then lord mayor, that a certain desperate person had said, "that he hoped shortly "to wash his hands in the king's blood," that minister of justice refused to send any warrant, or to give any direction to any officer, for the apprehension of him. And this was the success of that petition and answer.

The houses now began to speak themselves of sending propositions to the king for peace. For, how great soever the compliance seemed with them from the city, or the country, they well enough discerned that that compliance was generally upon

the hope and expectation that they would procure a speedy peace. And they had now procured that to pass both houses, which they only wanted, the bill for the extirpation of episcopacy: in the doing whereof, they used marvellous art and industry. They who every day did somewhat, how little soever then taken notice of, to make peace impossible, and resolved, that no peace could be safe for them, but such a one as would be unsafe for the king, well enough knew that they should never be able to hold up, and carry on the war against the king in England, but by the help of an army out of Scotland; which they had no hope to procure but upon the stock of alteration of the government of the church; to which that nation was violently inclined. But to compass that was very difficult; very much the major part, even of those members who still continued with them, being cordially affected to the government established, at least not affected to any other. To those therefore, who were so far engaged as to desire to have it in their power to compel the king to consent to such a peace as they desired, they represented "the consequence of "getting the Scots to declare for them; which "would more terrify the king, and keep the "northern parts in subjection, than any forces "they should be able to raise: that it was impos- "sible to draw such a declaration from them, "without first declaring themselves that they would "alter the government by the bishops; which that "people pretended to believe the only justifiable "ground to take up arms." To others, which was indeed their public, and avowed, and current argument in debates, they alleged, "that they could

" not expect that any peace would be effected by " the king's free concurrence to any message they " could send to him, but that it must arise and " result from a treaty between them, upon such " propositions as either party would make upon " their own interest: that it could not be expected " that such propositions would be made on either " side, as would be pertinaciously insisted on by " them who made them; it being the course, in " all affairs of this nature, to ask more than was " expected to be consented to; that it concerned " them as much, to make demands of great mo- " ment to the king, from which they meant to " recede, as others upon which they must insist: " that all men knew the inclination and affection " the king had to the church, and therefore if he " saw that in danger, he would rescue it at any " price, and very probably their departing from " their proposition of the church, might be the " most powerful argument to the king, to gratify " them with the militia."

By these artifices, and especially by concluding obstinately, " that no propositions should be sent " to the king for peace, till the bill for extirpation " of bishops was passed the lords' house," (where it would never otherwise have been submitted to,) they had their desire, and, about the end of January, they sent the earls of Northumberland, Pembroke, Salisbury, and Holland, with eight members of the commons, to Oxford, with their petition and propositions. And here I cannot omit one stratagem, which, at that time, occasioned some mirth. The common people of London were persuaded, " that there was so great scarcity

" of victual and provisions at Oxford, and in " all the king's quarters, that they were not " without danger of starving; and that, if all " other ways failed, that alone would in a short " time bring the king to them." To make good this report, provisions of all kinds, even to bread, were sent in waggons, and on horses, from London to Oxford, for the supply of this committee: when, without doubt, they found as great plenty of all things where they came, as they had left behind them. The petition presented to his majesty with the propositions were, in these words, at the presentation, read by the earl of Northumberland.

The humble desires and propositions of the lords and commons in parliament, tendered to his majesty.

" We your majesty's most humble and faithful " subjects, the lords and commons in parliament " assembled, having in our thoughts the glory of " God, your majesty's honour, and the prosperity " of your people, and being most grievously afflicted " with the pressing miseries, and calamities, which " have overwhelmed your two kingdoms of Eng- " land and Ireland, since your majesty hath, by the " persuasion of evil counsellors, withdrawn yourself " from the parliament, raised an army against it, " and, by force thereof, protected delinquents from " the justice of it, constraining us to take arms for " the defence of our religion, laws, liberties, privi- " leges of parliament, and for the sitting of the " parliament in safety; which fears and dangers " are continued, and increased, by the raising, " drawing together, and arming of great numbers

" of papists, under the command of the earl of " Newcastle; likewise by making the lord Herbert " of Ragland, and other known papists, command- " ers of great forces, whereby many grievous op- " pressions, rapines, and cruelties have been and " are daily exercised upon the persons and estates " of your people, much innocent blood hath been " spilt, and the papists have attained means of " attempting, with hopes of effecting, their mis- " chievous designs of rooting out the reformed " religion, and destroying the professors thereof: " in the tender sense and compassion of these evils, " under which your people and kingdom lie, (ac- " cording to the duty, which we owe to God, your " majesty, and the kingdom, for which we are " trusted,) do most earnestly desire, that an end " may be put to these great distempers and dis- " tractions, for the preventing of that desolation " which doth threaten all your majesty's dominions. " And as we have rendered, and still are ready to " render to your majesty, that subjection, obe- " dience, and service, which we owe unto you; so " we most humbly beseech your majesty, to remove " the causes of this war, and to vouchsafe us that " peace and protection, which we and our ancestors " have formerly enjoyed under your majesty, and " your royal predecessors, and graciously to accept " and grant these our most humble desires and " propositions:

1. " That your majesty will be pleased to dis- " band your armies, as we likewise shall be ready " to disband all those forces which we have raised; " and that you will be pleased to return to your " parliament.

2. " That you will leave delinquents to a legal " trial, and judgment of parliament.

3. " That the papists may not only be disbanded, " but disarmed according to law.

4. " That your majesty will be pleased to give " your royal assent unto the bill for taking away " the superstitious innovations; to the bill for the " utter abolishing and taking away of all arch- " bishops, bishops, their chancellors, and commis- " saries, deans, sub-deans, deans and chapters, " archdeacons, canons, and prebendaries, and all " chanters, chancellors, treasurers, sub-treasurers, " succentors, and sacrists, and all vicars choral, " and choristers, old vicars, and new vicars of any " cathedral or collegiate church, and all other their " under-officers, out of the church of England: to " the bill against scandalous ministers: to the bill " against pluralities; and to the bill for consulta- " tion to be had with godly, religious, and learned " divines. That your majesty will be pleased to " promise to pass such other good bills for settling " of church-government, as, upon consultation with " the assembly of the said divines, shall be resolved " on by both houses of parliament, and by them " presented to your majesty.

5. " That your majesty having expressed, in " your answer to the nineteen propositions of both " houses of parliament, an hearty affection and in- " tention for the rooting out of popery out of this " kingdom; and that, if both the houses of parlia- " ment can yet find a more effectual course to dis- " able Jesuits, priests, and popish recusants, from " disturbing the state, or eluding the laws, that " you would willingly give your consent unto it;

" that you would be graciously pleased, for the " better discovery and speedier conviction of re- " cusants, that an oath may be established by act " of parliament, to be administered in such manner " as by both houses shall be agreed on; wherein " they shall abjure and renounce the pope's supre- " macy, the doctrine of transubstantiation, purga- " tory, worshipping of the consecrated host, cruci- " fixes, and images: and the refusing the said " oath, being tendered in such manner as shall be " appointed by act of parliament, shall be a suffi- " cient conviction in law of recusancy. And that " your majesty will be graciously pleased to give " your royal assent unto a bill, for the education " of the children of papists by protestants in the " protestant religion. That, for the more effectual " execution of the laws against popish recusants, " your majesty will be pleased to consent to a bill, " for the true levying of the penalties against " them; and that the same penalties may be le- " vied, and disposed of in such manner as both " houses of parliament shall agree on, so as your " majesty be at no loss; and likewise to a bill, " whereby the practice of papists against the state " may be prevented, and the law against them duly " executed.

6. " That the earl of Bristol may be removed " from your majesty's councils; and that both he, " and the lord Herbert, eldest son to the earl of " Worcester, may likewise be restrained from com- " ing within the verge of the court; and that they " may not bear any office, or have any employments " concerning state or commonwealth.

7. " That your majesty will be graciously pleased

" by act of parliament, to settle the militia both by " sea and land, and for the forts and ports of the " kingdom, in such a manner as shall be agreed on " by both houses.

8. " That your majesty will be pleased, by your " letters patents, to make sir John Brampston, chief " justice of the court of king's bench; William " Lenthall, esquire, the now speaker of the com- " mons' house, master of the rolls; and to con- " tinue the lord chief justice Banks, chief justice " of the court of common pleas; and likewise to " make Mr. Sergeant Wild, chief baron of your " court of exchequer; and that Mr. Justice Bacon " may be continued; and Mr. Sergeant Rolls, and " Mr. Sergeant Atkins, made justices of the king's " bench: that Mr. Justice Reeves, and Mr. Justice " Foster, may be continued; and Mr. Sergeant " Pheasant made one of the justices of your court " of common pleas; that Mr. Sergeant Creswell, " Mr. Samuel Brown, and Mr. John Puleston, may " be barons of the exchequer; and that all these, " and all the judges of the same courts, for the " time to come, may hold their places by letters " patents under the great seal, *quamdiu se bene* " *gesserint:* and that the several persons not before " named, that do hold any of these places before " mentioned, may be removed.

9. " That all such persons, as have been put out " of the commissions of peace, or oyer and termi- " ner, or from being *custodes rotulorum*, since the " first day of April, 1642, (other than such as were " put out by desire of both or either of the houses " of parliament,) may again be put into those com- " missions and offices; and that such persons may

" be put out of those commissions and offices, as " shall be excepted against by both houses of par- " liament.

10. " That your majesty will be pleased to pass " the bill now presented to your majesty, to vindi- " cate and secure the privileges of parliament, from " the ill consequence of the late precedent in the " charge and proceeding against the lord Kim- " bolton, now earl of Manchester, and the five " members of the house of commons.

11. " That your royal assent may be given unto " such acts as shall be advised by both houses of " parliament, for the satisfying and paying the " debts and damages, wherein the two houses of " parliament have engaged the public faith of the " kingdom.

12. " That your majesty will be pleased, ac- " cording to a gracious answer heretofore received " from you, to enter into a more strict alliance " with the States of the United Provinces, and " other neighbour princes and states of the pro- " testant religion, for the defence and maintenance " thereof against all designs and attempts of the " popish and jesuitical faction, to subvert and sup- " press it; whereby your subjects may hope to be " free from the mischiefs which this kingdom hath " endured, through the power which some of that " party have had in your counsels; and will be " much encouraged, in a parliamentary way, for " your aid and assistance in restoring your royal " sister, and the prince elector, to those dignities " and dominions which belong unto them; and " relieving the other protestant princes who have " suffered in the same cause.

13. "That in the general pardon, which your "majesty hath been pleased to offer to your sub- "jects, all offences and misdemeanours committed "before the 10th of January, 1641, which have "been or shall be questioned, or proceeded against "in parliament, upon complaint in the house of "commons, before the 10th of January, 1643, shall "be excepted; which offences and misdemeanours "shall nevertheless be taken, and adjudged to be "fully discharged against all other inferior courts. "That likewise there shall be an exception of all "offences committed by any person or persons, "which hath, or have had, any hand or practice in "the rebellion of Ireland; which hath, or have "given, any counsel, assistance, or encourage- "ment to the rebels there, for the maintenance "of that rebellion; as likewise an exception of "William earl of Newcastle, and George lord "Digby.

14. "That your majesty will be pleased to "restore such members of either house of parlia- "ment to their several places of services, and em- "ployment, out of which they have been put since "the beginning of this parliament; that they may "receive satisfaction, and reparation for those "places, and for the profits which they have lost "by such removals, upon the petition of both "houses of parliament: and that all others may "be restored to their offices and employments, who "have been put out of the same upon any displea- "sure conceived against them, for any assistance "given to both houses of parliament, or obeying "their commands, or forbearing to leave their "attendance upon the parliament without license;

" or for any other occasion, arising from these un-
" happy differences betwixt your majesty and both
" houses of parliament, upon the like petition of
" both houses.

" These things being granted, and performed, as
" it hath always been our hearty prayer, so shall
" we be enabled to make it our hopeful endeavour,
" that your majesty, and your people, may enjoy
" the blessings of peace, truth, and justice; the
" royalty and greatness of your throne may be
" supported by the loyal and bountiful affections of
" your people; their liberties and privileges main-
" tained by your majesty's protection and justice;
" and this public honour, and happiness of your
" majesty, and all your dominions, communicated
" to other churches and states of your alliance, and
" derived to your royal posterity, and the future
" generations of this kingdom for ever."

They who brought this petition and propositions, spake to their friends at Oxford with all freedom of the persons from whom they came; inveighed against " their tyranny and unreasonableness," and especially against the propositions themselves had brought; but positively declared, " that if the king " would vouchsafe so gracious an answer (which " they confessed they had no reason to expect) as " might engage the two houses in a treaty, it " would not be then in the power of the violent " party to deny whatsoever his majesty could " reasonably desire." However (though the king expected little from those private undertakings, well knowing that they who wished best were of least power, and that the greatest among them, as soon as they were but suspected to incline to peace,

immediately lost their reputation) his majesty, within two days, graciously dismissed those messengers with this answer:

"If his majesty had not given up all the faculties of his soul to an earnest endeavour of peace and reconciliation with his people; or if he would suffer himself, by any provocation, to be drawn to a sharpness of language, at a time when there seems somewhat like an overture of accommodation, he could not but resent the heavy charges upon him in the preamble of these propositions; would not suffer himself to be reproached, with protecting of delinquents, by force, from justice, (his majesty's desire having always been, that all men should be tried by the known law, and having been refused it,) with raising an army against his parliament, and to be told that arms have been taken up against him for the defence of religion, laws, liberties, and privileges of parliament, and for the sitting of the parliament in safety, with many other particulars in that preamble so often and so fully answered by his majesty, without remembering the world of the time and circumstances of raising those arms against him; when his majesty was so far from being in a condition to invade other men's rights, that he was not able to maintain and defend his own from violence; and without telling his good subjects, that their religion, (the true protestant religion, in which his majesty was born, hath faithfully lived, and to which he will die a willing sacrifice,) their laws, liberties, privileges, and safety of parliament, were so amply settled, and established, or offered to be so by his majesty, before any

" army was raised against him, and long before any " raised by him for his defence, that if nothing had " been desired but that peace and protection which " his subjects, and their ancestors, had in the best " times enjoyed, under his majesty, or his royal " predecessors, this misunderstanding and distance " between his majesty and his people, and this ge- " neral misery and distraction upon the face of the " whole kingdom, had not been now the discourse " of all Christendom.

" But his majesty will forbear any expressions of " bitterness, or of a sense of his own sufferings, " that, if it be possible, the memory thereof may be " lost to the world. And therefore, though many " of the propositions, presented to his majesty by " both houses, appear to him very derogatory from, " and destructive to, his just power and prerogative, " and no way beneficial to his subjects, few of them " being already due to them by the laws established, " (and how unparliamentary it is by arms to require " new laws, all the world may judge,) yet (because " these may be waved, or mollified, and many " things, that are now dark and doubtful in them, " cleared, and explained upon debate) his majesty " is pleased, such is his sense of the miseries this " kingdom suffers by this unnatural war, and his " earnest desire to remove them by an happy peace, " that a speedy time and place be agreed upon, for " the meeting of such persons as his majesty and " both houses shall appoint to discuss these propo- " sitions, and such others here following as his " majesty doth propose to them.

1. " That his majesty's own revenue, magazine, " towns, forts, and ships, which have been taken or

" kept from him by force, be forthwith restored " unto him.

2. " That whatsoever hath been done, or pub- " lished, contrary to the known laws of the land, " or derogatory to his majesty's legal and known " power and rights, be renounced, and recalled, " that no seed may remain for the like to spring " out of for the future.

3. " That whatsoever illegal power hath been " claimed and exercised by or over his subjects, as " imprisoning their persons without law, stopping " their *Habeas Corpus's*, and imposing upon their " estates without act of parliament, &c. either by " both, or either house, or any committee of both, " or either, or by any persons appointed by any of " them, be disclaimed; and all such persons so " committed forthwith discharged.

4. " That as his majesty will readily consent " (having done so heretofore) to the execution of " all laws already made, and to any good acts to " be made for the suppressing of popery, and for " the firm settling of the protestant religion now " established by law; so he desires, that a good " bill may be framed, for the better preserving the " Book of Common Prayer from the scorn and " violence of Brownists, anabaptists, and other " sectaries, with such clauses for the ease of " tender consciences, as his majesty hath formerly " offered.

5. " That all such persons, as, upon the treaty, " shall be excepted out of the general pardon, shall " be tried *per pares*, according to the usual course, " and known law of the land; and that it be left to " that, either to acquit or condemn them.

6. "And, to the intent this treaty may not "suffer interruption by any intervening accidents, "that a cessation of arms, and free trade for all "his majesty's subjects, may be first agreed upon.

"This offer and desire of his majesty, he hopes, "will be so cheerfully entertained, that a speedy "and blessed peace may be accomplished. If it "shall be rejected, or, by insisting upon unreason- "able circumstances, be made impossible, (which, "he hopes, God in his mercy to this nation will "not suffer,) the guilt of the blood which will be "shed, and the desolation which must follow, will "lie upon the heads of the refusers. However, his "majesty is resolved, through what accidents so- "ever he shall be compelled to recover his rights, "and with what prosperous success soever it shall "please God to bless him, that by his earnest, "constant endeavours to propagate and promote "the true protestant religion, and by his governing "according to the known laws of the land, and "upholding the just privileges of parliament, ac- "cording to his frequent protestations made before "Almighty God, (which he will always inviolably "observe,) the world shall see, that he hath under- "gone all these difficulties and hazards, for the "defence and maintenance of those, the zealous "preservation of which, his majesty well knows, is "the only foundation and means for the true hap- "piness of him and his people."

Whilst these overtures and discourses were made of peace, the kingdom, in all parts, felt the sad effects of war; neither the king nor the parliament being slack in pursuing the business by the sword; and the persons of honour and quality in most counties more vigorously declaring themselves than

they had done. Among the rest, upon the king's retreat from Brentford, whilst he yet stayed about Reading, some of the well affected gentry of Sussex, upon the confidence of their interests in those parts, offered the king to raise forces there; and presumed they should be able to seize some place of security and importance for their retreat, if the enemy should attempt upon them; which, at that time of the year, was not conceived could be with any notable success. And being armed with such authority and commissions, as they desired, and seconded with a good number of considerable officers, their first success was answerable to their own hopes, and they possessed themselves, partly by force, and partly by stratagem, of the city of Chichester; which, being encompassed with a very good old wall, was very easy to be so fortified, that, with the winter, they might well think themselves secure against any forcible attempt could be made upon them. And no doubt they had been so, if the common people of the county (out of which the soldiers were to rise) had been so well affected as was believed.

But, before they could draw in men or provisions into the city, the earl of Essex sent sir William Waller with horse, foot, and cannon, to infest them; who, with the assistance of the country, quickly shut them up within their walls. They within the town were easily reduced to straits they could not contend with; for, besides the enemy without, against which the walls and the weather seemed of equal power, and the small stock of provisions, which, in so short time, they were able to draw thither, they had cause to apprehend their friends would be weary before their

enemies; and that the citizens would not prove a trusty part of the garrison; and their number of common men was so small, that the constant duty was performed by the officers, and gentlemen of quality, who were absolutely tired out. So that, after a week or ten days' siege, they were compelled, upon no better articles than quarter, to deliver that city, which could hardly have been taken from them; by which (with the loss of fifty or threescore gentlemen of quality, and officers of name, whose very good reputation made the loss appear a matter of absolute and unavoidable necessity) the king found that he was not to venture to plant garrisons so far from his own quarters, where he could not, in reasonable time, administer succour or supply.

This triumph of the enemy was shortly after abated, and the loss on the king's part repaired, by the winning of Cirencester, a good town in Glocestershire, which the rebels were fortifying, and had in it a very strong garrison; and, being upon the edge of Wiltshire, Berkshire, and Oxfordshire, shrewdly straitened the king's quarters. The marquis of Hertford bringing with him, out of Wales, near two thousand foot, and one regiment of horse, intended, with the assistance of prince Rupert, who appointed to join with him with some regiments from Oxford, to take in that town; but by the extreme foulness of the ways, the great fall of rain at that time, (being about Christmas,) and some mistake in orders between the two generals, that design was disappointed; and the alarm gave the enemy so much the more courage and diligence to provide for an assault.

In the beginning of February, prince Rupert went upon the same design with better success; and at one and the same time, storming the town in several places, their works being not yet finished, though pertinaciously enough defended, entered their line with some loss of men, and many hurt, but with a far greater of the enemy; for there were not so few as two hundred killed upon the place, and above one thousand taken prisoners, whereof Warneford and Fettyplace, (two gentlemen of good quality and fortune near that town, and very active in the service,) Mr. George, a member of parliament who served for that borough, and two or three Scottish officers of the field, whereof Carr the governor was one, were the chief. The town yielded much plunder, from which the undistinguishing soldier could not be kept, but was equally injurious to friend and foe; so that many honest men, who were imprisoned by the rebels for not concurring with them, found themselves at liberty and undone together: amongst whom John Plot, a lawyer of very good reputation, was one; who being freed from the hard and barbarous imprisonment in which he had been kept, when he returned to his own house, found it full of soldiers, and twelve hundred pounds in money taken from thence, which could never be recovered. The prince left a strong garrison there, that brought almost all that whole county into contribution, and which was a great enlargement to the king's quarters, which now, without interruption, extended from Oxford to Worcester; which important city, with the other of Hereford, and those counties, had, some time before, been quitted

by the rebels; the earl of Stamford, who was left in those parts by the earl of Essex, being called from thence, by the growth of the king's party in Cornwall, to the securing the west.

We remembered before, when the marquis of Hertford transported himself and his few foot into Wales from Minhead, that sir Ralph Hopton, and the other gentlemen, mentioned before, with their small force, consisting of about one hundred horse, and fifty dragoons, retired into Cornwall, neglected by the earl of Bedford, as fit and easy to be suppressed by the committees. And, in truth, the committees were entirely possessed of Devonshire, and thought themselves equally sure of Cornwall, save that the castle of Pendennis was in the custody of one they had no hope of. They were welcomed into Cornwall by sir Bevil Greenvil, who marched with them towards the west of that county, as being best affected, where they might have leisure to refresh their wearied and almost tired horse and men, and to call the well disposed gentry together; for which they chose Truro as the fittest place, the east part of the county being possessed by sir Alexander Carew, and sir Richard Buller, two members of the house of commons, and active men for the settling of the militia. There was in this county, as throughout the whole kingdom, a wonderful and superstitious reverence towards the name of a parliament, and a prejudice to the power of the court; yet a full submission, and love of the established government of church and state, especially to that part of the church as concerned the liturgy or Book of Common Prayer, which was a most general object of veneration with the

people. And the jealousy and apprehension that the other party intended to alter it, was a principal advancement of the king's service. Though the major and most considerable part of the gentry, and men of estate, were heartily for the king, many of them being of the house of commons, and so having seen and observed by what spirit the distemper was begot, and carried on; yet there were others of name, fortune, and reputation with the people, very solicitous for the parliament, and more active than the other. There was a third sort (for a party they cannot be called) greater than either of the other, both in fortune and number, who, though they were satisfied in their consciences of the justice of the king's cause, had yet so great a dread of the power of the parliament, that they sat still as neuters, assisting neither. So that they who did boldly appear, and declare for the king, were compelled to proceed with all wariness and circumspection; by the known and well understood rules of the law and justice; and durst not oppose the most extravagant act of the other side but with all the formality that was used in full peace: which must be an answer to all those oversights and omissions, which posterity will be apt to impute to the king, in the morning of these distractions.

The committee of the parliament, who were entirely possessed of Devonshire, and believed themselves masters of Cornwall, drew their forces of the country to Launceston, to be sure that sir Ralph Hopton and his adherents (whose power they thought contemptible) might not escape out of their hands. This was before the battle of

Edge-hill, when the king was at lowest, and when the authority of parliament found little opposition in any place. The quarter sessions came, where they caused a presentment to be drawn, in form of law, "against divers men unknown, who were lately "come armed into that county *contra pacem*, &c." Though none were named, all understood who were meant; and therefore sir Ralph Hopton, who well understood those proceedings, voluntarily appeared; took notice of the presentment, and produced the commission granted by the king, under the great seal of England, to the marquis of Hertford, by which he was constituted general of the west; and a commission, from his lordship, to sir Ralph Hopton, of lieutenant general of the horse; and told them, "he was sent to assist them, in the defence "of their liberties, against all illegal taxes and "impositions." Hereupon, after a full and solemn debate, the jury, which consisted of gentlemen of good quality, and fortunes in the county, not only acquitted sir Ralph Hopton, and all the other gentlemen his companions, of any disturbance of the peace; but declared, "that it was a great "favour and justice of his majesty, to send down "aid to them who were already marked out to "destruction; and that they thought it the duty "of every good subject, as well in loyalty to the "king, as in gratitude to those gentlemen, to join "with them with any hazard of life and fortune."

As this full vindication was thus gotten on the king's part, so an indictment was preferred against sir Alexander Carew, sir Richard Buller, and the rest of the committee, "for a rout and unlawful "assembly at Launceston; and for riots and mis-

" demeanours committed against many of the " king's good subjects, in taking their liberties " from them;" (for they had intercepted and apprehended divers messengers, and others of the king's party, and employed by them.) This indictment and information was found by the grand jury, and thereupon, according to a statute in that case provided, an order of sessions was granted to the high sheriff, a person well affected to the king's service, " to raise the *posse comitatus*, for the dis- " persing that unlawful assembly at Launceston, " and for the apprehension of the rioters." This was the rise and foundation of all the great service that was after performed in Cornwall, by which the whole west was reduced to the king. For, by this means, there were immediately drawn together a body of three thousand foot, well armed; which by no other means, that could have been used, could have been done: with which sir Ralph Hopton, whom they all willingly obeyed, advanced towards Launceston, where the committee had fortified, and from thence had sent messages of great contempt upon the proceedings of the sessions; for, besides their confidence in their own Cornish strength, they had a good body of horse to second them upon all occasions, in the confines of Devon.

Sir George Chudleigh, a gentleman of good fortune and reputation in that county, and very active for the militia, being then at Tavistock, with five or six full troops of horse, raised in that county to go to their army, but detained till Cornwall could be settled; and upon the news of sir Ralph Hopton's advancing, these drew to Litton, a village in Devonshire, but within three miles of Launceston.

Sir Ralph Hopton marched within two miles of the town, where he refreshed his men, intending, the next morning early, to fall on the town: but sir Richard Buller, and his confederates, not daring to abide the storm, in great disorder quitted the town that night, and drew into Devonshire, and so towards Plymouth; so that in the morning sir Ralph Hopton found the gates of Launceston open, and entered without resistance. As the submission to, and reverence of, the known practised laws had, by the sheriff's authority, raised this army within very few days, so the extreme superstition to it as soon dissolved it. For when all the persons of honour and quality, who well knew the desperate formed designs of the other party, earnestly pressed the pursuing the disheartened and dismayed rebels into Devon, by which they should quickly increase their numbers, by joining with the well affected in that large and populous county, who were yet awed into silence; it was powerfully objected, "that the she-"riff, by whose legal authority only that force was "drawn together, might not lawfully march out of "his own county; and that it was the principal "privilege of the trained bands, that they might "not be compelled to march farther than the limits "of their shire."

How grievous and inconvenient soever this doctrine was discerned to be, yet no man durst presume so far upon the temper of that people, as to object policy or necessity to their notions of law. And therefore, concealing, as much as was possible, the true reasons, they pretended their not following the enemy proceeded from apprehension of their strength, by joining with sir George Chudleigh,

and of want of ammunition, (either of which were not unreasonable,) and so marched to Saltash, a town in Cornwall upon an arm of the sea; which only divided it from Plymouth and Devon, where was a garrison of two hundred Scots; who, upon the approach of sir Ralph Hopton, as kindly quit Saltash, as the others had Launceston before. So that being now entirely masters of Cornwall, they fairly dismissed those who could not be kept long together, and retired with their own handful of horse and dragoons, till a new provocation from the enemy should put fresh vigour into that county.

In the mean time, considering the casualty of those trained bands, and that strength, which on a sudden could be raised by the *posse comitatus*, which, though it made a gallant show in Cornwall, they easily saw would be of no use towards the quenching the general rebellion over England, they entered upon thoughts of raising voluntary regiments of foot; which could be only done by the gentlemen of that country among their neighbours, and tenants, who depended on them. Sir Bevil Greenvil, (the generally most loved man of that county,) sir Nicholas Slanning, the gallant governor of Pendennis castle, John Arundel, and John Trevannion, two young men of excellent hopes, and heirs to great fortunes in that country, (all four of them members of the house of commons, and so better informed, and acquainted with the desperate humours of the adverse party,) undertook the raising regiments of volunteers; many young gentlemen, of the most considerable families of the county, assisting them as inferior officers. So that,

within a shorter time than could be expected, from one single small county, there was a body of foot, of near fifteen hundred, raised, armed, and well disciplined for action. But there was then an accident, that might have discomposed a people which had not been very well prepared to perform their duties.

The lord Mohun (who had departed from York from the king with all professions of zeal and activity in his service) had, from the time of the first motion in Cornwall, forborne to join himself to the king's party; staying at home at his own house, and imparting himself equally to all men of several constitutions, as if he had not been yet sufficiently informed which party to adhere to. But after all the adverse party was driven out of Cornwall, and the fame of the king's marching in the head of an army, and having fought the battle at Edge-hill, (the event whereof was variously reported,) without acquainting any body with his intention, he took a journey towards London, at the time when the king marched that way, and presented himself to his majesty at Brentford, as sent from sir Ralph Hopton and the rest of those gentlemen engaged in Cornwall; though many men believed that his purpose was in truth for London, if he had not then found the king's condition better than it was generally believed. Upon his lordship's information of the state of those western parts, and upon a supposition that he spake the sense and desires of those from whom he pretended to come, the king granted a commission jointly to his lordship, sir Ralph Hopton, sir John Berkley, and colonel Ashburnham, to govern those forces, in the absence

of the lord marquis of Hertford; with which he returned into Cornwall, and immediately raised a regiment of foot; behaving [himself] as actively, and being every way as forward in the advancing the great business, as any man; so that men imputed his former reservedness, only to his not being satisfied in a condition of command.

On the other side, they who were concerned in that alteration were not at all well contented. For before, those gentlemen of Cornwall, upon whose interest and activity the work depended, had, with great readiness, complied with the other, both out of great value of their persons, with whom they had good familiarity and friendship, and in respect of their authority and commissions, with which they came qualified in that county: for, as was remembered before, sir Ralph Hopton had a commission from the marquis of Hertford, to be lieutenant general of the horse; sir John Berkley, to be commissary general; and colonel Ashburnham, to be major general of the foot; so that there was no dispute of commands. But now, the lord Mohun's coming into an equal command with any, and superior to those who thought their reputation and interest to be superior to his, (for he had not the good fortune to be very gracious in his own country,) and this by his own solicitation and interposition, gave them some indignation. However their public-heartedness, and joint concernment in the good cause, so totally suppressed all animosities, or indeed indispositions, that a greater concurrence could not be desired in whatsoever could contribute to the work in hand; so that they not only preserved Cornwall entire, but made bold incursions

into Devon, even to the walls of Plymouth and Exeter; though the season of the year, being the deep winter, and the want of ammunition, forced them to retire into Cornwall.

The reputation of their being masters of that one county, and the apprehension of what they might be shortly able to do, [made] the parliament think it time to take more care for their suppression. And therefore they sent their whole forces out of Dorset and Somerset, to join with those of Devon, to make an entire conquest of Cornwall. With these, Ruthen (a Scotchman, then governor of Plymouth) advanced into Cornwall, by a bridge over the Tamar, six miles above Saltash, (where he had before endeavoured to force his passage by water, but had been beaten off with loss,) having mastered the guard there; the earl of Stamford following him, two or three days' march behind, with a new supply of horse and foot; albeit those the Scotchman had with him were much superior to those of the king's; which, upon this sudden invasion, were forced to retire with their whole strength to Bodmin; whither, foreseeing this storm some few days before it came, they had again summoned the *posse comitatus*, which appeared in considerable numbers.

They had scarce refreshed themselves there, and put their men in order, when Ruthen, with his horse, foot, and cannon, was advanced to Liskard, within seven miles of Bodmin; from whence they moved towards the enemy with all alacrity, knowing how necessary it was for them to fight before the earl of Stamford, who was at that time come to Launceston with a strong party of horse

and foot, should be able to join with the rebels. And as this consideration was of importance to hasten the one, so it prevailed with the other party too; for Ruthen, apprehending that his victory, of which he made no question, would be clouded by the presence of the earl of Stamford, who had the chief command, resolved to despatch the business before he came. And so sir Ralph Hopton (to whom the other commissioners, who had a joint authority with him, willingly devolved the sole command for that day, lest confusion of orders might beget distraction) was no sooner known to be drawing towards him, (to whom a present battle was so necessary, that it was resolved, upon all disadvantages, to have fallen on the enemy in the town rather than not fight,) but Ruthen likewise drew out his forces, and, choosing his ground upon the east side of Bradock-Down near Liskard, stood in battalia to expect the enemy: sir Ralph Hopton, having likewise put his men in order, caused public prayers to be said, in the head of every squadron, (which the rebels observing, told their fellows, "they were at mass," to stir up their courages in the cause of religion,) and having winged his foot with his horse and dragoons, he advanced within musket-shot of the enemy, who stood without any motion. Then perceiving that their cannon were not yet come up from the town, he caused two small iron minion drakes (all the artillery they had) to be drawn, under the cover of little parties of horse, to a convenient distance from the body of the enemies; and after two shots of those drakes, (which being not discerned, and doing some execution, struck a great terror into

them,) advanced with his body upon them; and, with very easy contention, beat them off their ground; they having lined the hedges behind them with their reserve, by which they thought securely to make their retreat into the town. But the Cornish so briskly bestirred themselves, and pressed them so hard on every side, being indeed excellent at hedge-work, and that kind of fight, that they quickly won that ground too, and put their whole army in a rout, and had the full execution of them as far as they would pursue. But, after that advantage, they were always more sparing than is usually known in civil wars, shedding very little blood after resistance was given over, and having a very noble and Christian sense of the lives of their brethren: insomuch as the common men, when they have been pressed by some fiercer officer, to follow the execution, have answered, "they could not find in their hearts to "hurt men who had nothing in their hands."

In this battle, without the loss of any officer of name, and very few common men, they took twelve hundred and fifty prisoners, most of their colours, all their cannon, being four brass guns, (whereof two were twelve pounders,) and one iron saker, all their ammunition, and most of their arms. Ruthen himself, and those few who could keep pace with him, fled to Saltash; which he thought to fortify, and by the neighbourhood of Plymouth, and assistance of the shipping, to defend; and thereby still to have an influence upon a good part of Cornwall. The earl of Stamford, receiving quick advertisement of this defeat, in great disorder retired to Tavistock, to preserve the utmost parts of Devon

from incursions. Hereupon, after a solemn thanksgiving to God for this great victory, (which was about the middle of January,) and a little refreshing their men at Liskard, the king's forces divided themselves; sir John Berkley, and colonel Ashburnham, with sir Bevil Greenvil, sir Nicholas Slanning's and colonel Trevannion's voluntary regiments, and such a party of horse and dragoons as could be spared, advanced to Tavistock to visit the earl of Stamford; the lord Mohun and sir Ralph Hopton, with the lord Mohun's and colonel Godolphin's voluntary regiments, and some of the trained bands, marched towards Saltash, to dislodge Ruthen; who in three days (for there was no more between his defeat at Bradock-Down, and his visitation at Saltash) had cast up such works, and planted such store of cannon upon the narrow avenues, that he thought himself able, with the help of a goodly ship of four hundred tons, in which were sixteen pieces of cannon, which he had brought up the river to the very side of the town, to defend that place against any strength was like to be brought against him. But he quickly found that the same spirit possessed his enemies that drove him from Liskard, and the same that possessed his own men when they fled from thence; for as soon as the Cornish came up, they fell upon his works, and in a short time beat him out of them; and then out of the town, with a good execution upon them; many being killed, and more drowned: Ruthen himself hardly getting into a boat, by which he got into Plymouth, leaving all his ordnance behind him, which, together with the ship, and sevenscore prisoners, and all their colours,

which had been saved at Liskard, were taken by the conquerors, who were now again entire masters of Cornwall.

The earl of Stamford had not the same patience to abide the other party at Tavistock, but, before their approach, quitted the town; some of his forces making haste into Plymouth, and the rest retiring into Exeter. And so, though the old superstition, of not going out of the county, again disbanded the trained bands, the Cornish, with all their voluntary forces, drew into Devon, and fixed quarters within less than a mile of Plymouth, and kept guards even within musket-shot of their line. Sir John Berkley in the mean time with a good party volant, of horse and dragoons, with great diligence and gallantry, visiting all places in Devon, where their people were gathered together, and dissolving them, took many prisoners of name; and so kept James Chudleigh, the major general of the parliament forces, from raising a body there; which he industriously intended.

In those necessary and brisk expeditions [in] falling upon Chagford (a little town in the south of Devon) before day, the king lost Sidney Godolphin, a young gentleman of incomparable parts; who, being of a constitution and education more delicate, and unacquainted with contentions, upon his observation of the wickedness of those men in the house of commons, of which he was a member, out of the pure indignation of his soul, and conscience to his country, had, with the first, engaged himself with that party in the west: and though he thought not fit to take command in a profession he had not willingly chosen, yet as his advice was of

great authority with all the commanders, being always one in the council of war, and whose notable abilities they had still use of in their civil transactions, so he exposed his person to all action, travel, and hazard; and by too forward engaging himself in this last, received a mortal shot by a musket, a little above the knee, of which he died in the instant; leaving the ignominy of his death upon a place, which could never otherwise have had a mention to the world.

After this, which happened about the end of January, in respect of the season of the year, and the want of ammunition, finding that they could make no impression upon the strong holds of the enemy, they retired, with their whole forces, to Tavistock; where they refreshed and rested themselves many days, being willing to ease their fast friends of Cornwall, as much as was possible, from the trouble and charge of their little army. The difficulties they were entangled with were very prodigious; of which one was, that the west was so entirely possessed by the enemy, that they could have no correspondence, or receive any intelligence from the king, not one messenger in ten arriving at his journey's end. Then though the justice and piety of the cause added much power to particular persons in raising an army; yet the money, that was raised for the maintenance and payment of that army, was entirely upon the reputation, credit, and interest of particular men: and how long that spring would supply those streams, the most sanguine among them could not presume; but the want of ammunition troubled them most of all: they had yet had none but what had been

taken out of the low store of Pendennis castle, and what they had won from the enemy; the first wanted a supply for its own provision, but which way to procure that supply they could not imagine; and the fear and apprehension of such straits, against which no probable hope occurs, is more grievous and insupportable than any present want.

In this instant, as if sent by Providence, an opportunity found them they had scarce courage to hope for: captain Carteret, the controller of the king's navy, in the beginning of the troubles, after he had refused to have command in their fleets, had without noise withdrawn himself and his family out of England to Jersey, and being there impatient to be quiet, whilst his master was in the field, he transported himself into Cornwall with a purpose to raise a troop of horse, and to engage in that service: when he came thither, he was unanimously importuned by the commanders, after they had acquainted him with their hopeless and desperate want of powder, to assist them in that manner, that the many good ports in their power might be made of some use to them in the supply of powder: whereupon he shortly returned into France; and first upon his own credit, and then upon return of such commodities out of Cornwall as they could well spare, he supplied them with such great proportions of all kinds of ammunitions, that they never found want after.

In the mean time, when they were clouded with that want at Tavistock, some gentlemen of Cornwall who adhered to the rebels, and were thereby dispossessed of their county, made some overtures, "that a treaty might be entered into, whereby the

" peace of those two counties of Cornwall and De-
" von might be settled, and the war be removed
" into other parts." They who had most experience of the humours and dispositions of the factious party, easily concluded the little hope of peace by such a treaty; yet the proposition was so specious and popular, that there was no rejecting it; and therefore they agreed to a meeting between persons chosen of either side; and the earl of Stamford himself seemed so ingenuous, that, at the very first meeting, to shew their clear intentions, it was mutually agreed, that every person employed and trusted in the treaty should first make a protestation in these words: " I do solemnly vow and pro-
" test, in the presence of Almighty God, that I do
" not only come a commissioner to this treaty,
" with an hearty and fervent desire of concluding
" an honourable and firm peace between the two coun-
" ties of Cornwall and Devon; but also will, to the
" utmost of my power, prosecute and really en-
" deavour to accomplish and effect the same, by all
" lawful ways and means I possibly can; first by
" maintaining the protestant religion established by
" law in the church of England, the just rights and
" prerogative of our sovereign lord the king, the just
" privileges and freedom of parliaments; together
" with the just rights and liberty of the subjects;
" and that I am without any intention (by foment-
" ing this unnatural war) to gain, or hope to advan-
" tage myself with the real or personal estate of
" any person whatsoever, or obtaining any office,
" command, title of honour, benefit, or reward,
" either from the king's majesty, or either or both
" houses of parliament now assembled. And this

" I take, in the presence of Almighty God, and as " I shall answer the same at his tribunal, according " to the literal sense and meaning of the foregoing " words, without any equivocation, mental reserva- " tion, or other evasion whatsoever. So help me God."

The taking this protestation with that solemnity, and the blessed sacrament thereupon, made even those, who before expected little fruit from the treaty, believe, that men, being so engaged, would not be liable to those passions and affections, which usually transported that party; and so to hope that some good might proceed from it: and therefore the king's party were easily induced to retire with their forces into Cornwall; and thereupon a truce and cessation was agreed upon, that the treaty might proceed without interruption. In which treaty, the same continuing beyond the expiration of the present year 1642, we shall for the present leave them; that we may take a short survey of the northern parts, and remember by what degrees they came to feel the calamities, and to bear their burden in the civil war.

When the king left Yorkshire, he appointed sir Thomas Glemham, at the desire of the gentlemen of that county, as was before remembered, to stay in York, to order and command those forces, which they should find necessary to raise, to defend themselves from the excursions of Hull, whence young Hotham infested the country more than his father; who was willing enough to sit still in his garrison, where he believed he could make advantage upon the success of either party: and they who were most inclined to the parliament (whereof the lord Fairfax and his son were the chief; from whom the

king was so far from expecting any notable mischief, that he left them all at their own houses, when he went thence; and might, if he had thought it requisite, have carried them away prisoners with him) were rather desirous to look on, than engage themselves in the war; presuming that one battle would determine all disputes, and the party which prevailed in that would find a general submission throughout the kingdom. And truly, I believe, there was scarce one conclusion, that hath contributed more to the continuance and length of the war, than that generally received opinion in the beginning, that it would be quickly at an end. Hereupon, there being but one visible difference like to beget distractions in the country, which was about the militia, the king appointing it to be governed and disposed by the commission of array, and the parliament by its ordinance; for the composing whereof, the gentlemen of the several opinions proposed, between themselves, "that neither the one "nor the other should be meddled with; but that "all should be contented to sit still, without en-"gagement to either party." This seemed very reasonable to the parliament party, who were rather carried away with an implicit reverence to the name of a parliament (the fatal disease of the whole kingdom) than really transported with the passion and design of the furious part of it; and who plainly discerned, that by much the greatest part of the persons of honour, quality, and interest in the county would cordially oppose their proceedings: for, besides the lord Fairfax, there were in truth few of good reputation and fortune, who run that way. On the other hand, the king's party

thought their work done by it; for they having already sent two good regiments of foot, the one under colonel John Bellasis, younger son to the lord viscount Falconbridge, and the other under sir William Pennyman; and two regiments of dragoons, the one under colonel Duncomb; the other, colonel Gowre; besides three or four good troops of horse; and the king being at that distance, that they could not send him farther supply; they thought they had nothing to do, but to keep the country in such a peace, that it might do the king no harm by sending men to the earl of Essex, or adhering to the garrison of Hull; and concluding, as the other did, that the decision between the king and parliament would be at the first encounter. Upon these deliberations, articles were solemnly drawn up, consented to and subscribed by the lord Fairfax, and Harry Bellasis, the heir apparent of the lord Falconbridge, who were the two knights who served in parliament for Yorkshire, nearly allied together, and of great kindness till their several opinions and affections had divided them in this quarrel: the former adhering to the parliament; the latter, with great courage and sobriety, to the king.

With them, the principal persons of either party subscribed the articles, and gave their mutual faiths to each other, that they would observe them; being indeed no other than an engagement of neutrality, and to assist neither party. Of all the gentry of Yorkshire, there were only two dissenters on the parliament side; young Hotham, and sir Edward Rhodes; who, though of the better quality, was not so much known, or considered, as the other. But

they quickly found seconds enough; for the parliament no sooner was informed of this transaction, than they expressed their detestation of it, and gently in words (though scornfully in matter) reprehending the lord Fairfax, and his party, "for "being cozened and overreached by the other;" they declared, "that none of the parties to that "agreement had any authority to bind that country "to any such neutrality, as was mentioned in that "agreement; it being a peculiar and proper power "and privilege of parliament, where the whole "body of the kingdom is represented, to bind all, "or any part thereof: that it was very prejudicial "and dangerous to the whole kingdom, that one "county should withdraw themselves from the "assistance of the rest, to which they were bound "by law, and by several orders and declarations of "parliament: that it was very derogatory to the "power and authority of parliament, that any pri-"vate men should take upon them to suspend the "execution of the ordinance of the militia, declared "by both houses to be according to law, and very "necessary, at that time, for the preservation of "the peace and safety of the kingdom. And there-"fore, they said, they thought themselves bound in "conscience to hinder all further proceedings upon "that agreement; and ordered, that no such "neutrality should be observed in that county. "For if they should suffer particular counties to "divide themselves from the rest of the kingdom, "it would be a means of bringing all to ruin and "destruction." And therefore they further declared, that "neither the lord Fairfax, nor the "gentlemen of Yorkshire, who were parties to

"those articles, nor any other inhabitants of that "county, were bound by any such agreement; but "required them to pursue their former resolutions, "of maintaining and assisting the parliament, in "defence of the common cause, according to the "general protestation wherein they were bound "with the rest of the kingdom, and against the "particular protestation by themselves lately made; "and according to such orders and commissions "as they should receive from both houses of par-"liament, from the committee of the lords and "commons appointed for the safety of the king-"dom, or from the earl of Essex, lord general." And, lest this their declaration should not be of power enough to dissolve this agreement, they published their resolution, and directed that "Mr. "Hotham and sir Edward Rhodes should proceed "upon their former instructions; and that they "should have power to seize and apprehend all "delinquents that were so voted by the parlia-"ment, and all such others, as delinquents, as "had, or did shew themselves opposite and dis-"obedient to the orders and proceedings of parlia-"ment."

Upon this declaration, and vote, not only young Hotham fell to the practice of acts of hostility, with all license, out of the garrison at Hull: but the lord Fairfax himself, and all the gentlemen of that party, who had, with that protestation, signed the articles, instead of resenting the reproach to themselves, tamely submitted to those unreasonable conclusions; and, contrary to their solemn promise and engagement, prepared themselves to bear a part in the war, and made all haste to levy men.

Upon so great a disadvantage were the king's party in all places; who were so precise in promises, and their personal undertakings, that they believed they could not serve the king, and his cause, if their reputation and integrity were once blemished, though some particular contract proved to his disadvantage: whilst the others exposed their honours for any present temporary conveniencies, and thought themselves absolved by any new resolution of the houses, to whose custody their honour and ingenuity was committed. The present disadvantage of this rupture was greater to the king's party there, than to the other. For, (besides that many, who concurred with them very frankly and solicitously in the neutrality, separated themselves from them now there was a necessity of action) they had neither money to raise men, nor arms to arm them; so that the strength consisted in the gentlemen themselves, and their retinue; who, by the good affections of the inhabitants of York, were strong enough to secure one another within the walls of that city. Then the earl of Cumberland, in whom the chief power of command was to raise men and money in a case of necessity, though he was a person of entire devotion to the king, was in his nature unactive, and utterly unexperienced in affairs and exigents of that nature.

On the other hand, the opposite party was strengthened and enabled by the strong garrison of Hull, whence young Hotham, on all occasions, was ready to second them with his troop of horse, and to take up any well affected person who was suspected to be loyal; which drove all resolved men from their houses into York, where they only

could be safe. They could have what men more they desired from London, and both ready money from thence to Hull, and ordinances to raise what they would in the county to pay them. Leeds, Halifax, and Bradford, three very populous and rich towns, (which depending wholly upon clothiers naturally maligned the gentry,) were wholly at their disposition. Their neighbours in Lincolnshire were in a body to second them, and sir John Gell was on the same behalf possessed of Derby, and all that county, there being none that had the hardiness yet, to declare there for the king. So that, if sir John Hotham's wariness had not kept him from being active, and his pride, and contempt of the lord Fairfax, upon whom the country chiefly depended, hindered him from seconding and assisting his lordship; or if any man had had the entire command of those parts and forces, to have united them, the parliament had, with very little resistance, been absolute masters of all Yorkshire; and, as easily, of the city itself. But their want of union in the by, though they agreed too well in the main, gave the king's party time to breathe, and to look about for their preservation. Thereupon they sent to the earl of Newcastle for assistance; offering, "if he would march into Yorkshire, they would "join with him, and be entirely commanded by "him;" the earl of Cumberland willingly offering to wave any title to command.

It was before remembered, that, when the king left York, he had sent the earl of Newcastle, as a person of great honour and interest in those parts, to be governor of Newcastle; and so to secure that port, that the parliament might neither seize it,

nor the Scots be bribed by it to come to the assistance of their brethren. Which commission from the king his lordship no sooner executed, without the least hostility, (for that town received him with all possible acknowledgments of the king's goodness in sending him,) but he was impeached by the house of commons of high treason. From his going thither, (which was in August,) till toward the end of November, the earl spent his time in disposing the people of Northumberland, and the bishopric of Durham, to the king's service, and to a right understanding of the matters in difference; in the fortifying Newcastle, and the river; whereby that harbour might only be in the king's obedience; in raising a garrison for that place, and providing arms for a farther advance of the king's service. Then he provided for the assistance of his friends in Yorkshire, whose condition grew every day more desperate. For the parliament, finding the inconveniences of having no commander in chief in those parts, had caused their generalissimo, the earl of Essex, to send a commission to the lord Fairfax, "to command all the forces of Yorkshire, and the "adjacent counties, in chief;" by which, in less time than could be reasonably imagined, he was able to draw together an army of five or six thousand horse and foot; so that York must presently have been swallowed up.

But, in the beginning of December, the earl of Newcastle marched to their relief; and having left a good garrison in Newcastle, and fixed such small garrisons in his way, as might secure his communication with that port, to which all his ammunition was to be brought; with a body of near three

thousand foot, and six or seven hundred horse and dragoons, without any encounter with the enemy, (though they had threatened loud,) he entered York; having lessened the enemy's strength, without blood, both in territories and men. For, as soon as he entered Yorkshire, two regiments raised in Richmondshire and Cleveland dissolved of themselves; having it yet in their choice to dwell at home, or to leave their houses to new comers. The earl being now master of the north as far as York, thought rather of forming an army, and providing money to pay it, than of making any further progress in the winter; and therefore suffered the lord Fairfax to enjoy the southern part of that large rich county, till the spring, and his improved posture, should enable him to advance: yet few days passed without blows, in which the parliament forces had usually the worst.

Shortly after the earl's coming to York, general King repaired to him, whom he made lieutenant general of his army; who, notwithstanding the unavoidable prejudice of his being a Scotchman, ordered the foot with great wisdom and dexterity: the charge of the horse being at the same time committed to general Goring; who, by the queen's favour, notwithstanding all former failings, was recommended to that province, and quickly applied himself to action: so that, though the lord Fairfax kept Selby and Cawood, both within a small distance from York, the earl was absolute master of the field. And now the north yielding secure footing for those who had been unreasonably persecuted for their obedience to the king, the queen herself thought of returning into England.

Her majesty had, from her first going into Holland, dexterously laboured to advance the king's interest, and sent very great quantities of arms and ammunition to Newcastle, (though, by the vigilance of the parliament agents in those parts, and the power of their ships, too much of it was intercepted,) with some considerable sums of money, and good store of officers; who, by the connivance of the prince of Orange, came over to serve their own king. And from this extraordinary care of her majesty's, and her known grace and favour to the person of the earl of Newcastle, who she well knew had contracted many enemies by the eminency of his devotion to the king, that army was by the parliament styled *the queen's army*, and *the catholic army*, thereby to expose her majesty the more to the rude malice of the people, and the army to their prejudice; persuading them "that it consisted of "none but professed papists, who intended nothing "but the extirpation of the protestants, and esta-"blishing their own profession."

About the middle of February, the queen took shipping from Holland, in a States man of war, assigned by the prince of Orange with others for her convoy, and arrived safely in Burlington Bay, upon the coast of Yorkshire; where she had the patience to stay on shipboard at anchor, the space of two days, till the earl had notice, "to draw such "a part of his forces that way, as might secure "her landing, and wait on her to York;" which he no sooner did, (and he did it with all imaginable expedition,) but her majesty came on shore; and, for the present, was pleased to refresh herself in a convenient house upon the very key, where all ac-

commodations were made for her reception; there being many things of moment to be unshipped before she could reasonably enter upon her journey towards York.

The second day after the queen's landing, Batten, vice-admiral to the earl of Warwick, (who had waited to intercept her passage,) with four of the king's ships, arrived in Burlington Road; and, finding that her majesty was landed, and that she lodged upon the key, bringing his ships to the nearest distance, being very early in the morning, discharged above a hundred cannon (whereof many were laden with cross-bar-shot) for the space of two hours upon the house where her majesty was lodged: whereupon she was forced out of her bed, some of the shot making way through her own chamber; and to shelter herself under a bank in the open fields; which barbarous and treasonable act was so much the more odious, in that the parliament never so far took notice of it, as to disavow it. So that many believed it was very pleasing to, if not commanded by them; and that, if the ships had encountered at sea, they would have left no hazard unrun to have destroyed her majesty.

The queen shortly after removed to York, and the king's affairs prospered to that degree, that, as the earl of Newcastle had before fixed a garrison at Newark in Nottinghamshire, which kept the forces of Lincoln from joining entirely with the lord Fairfax, and had with great courage beaten off a formed body of the rebels who attempted it; so he now sent Charles Cavendish, the younger brother of the earl of Devonshire, with a party

volant of horse and dragoons, into Lincolnshire; where, about the middle of March, he assaulted Grantham, a new garrison of the rebels; which he took, and in it above three hundred prisoners, with all their officers, arms, and ammunition: and, about the same time, sir Hugh Cholmondley, who had done very notable service to the parliament, and oftener defeated the earl of Newcastle's troops (though he had been in truth hurried to that party, rather by the engagement of sir John Hotham, with whom he had long friendship, than by his own inclination) than any officer of those parts, very frankly revolted to his allegiance; and waiting on her majesty for her assurance of his pardon, delivered up the castle of Scarborough (a place of great importance) to the king; the command and government whereof was again by the earl committed to him; which he discharged with courage and singular fidelity. By this means, and those successes, the lord Fairfax quitted Selby, Cawood, and Tadcaster, and retired to Pomfret and Halifax; whereby the earl was, upon the matter, possessed of that whole large county, and so able to help his neighbours. This was the state of that part of the north which was under the earl of Newcastle's commission: for Lancashire, Cheshire, and Shropshire, were in a worse condition; of which, and the neighbour counties, it will be necessary in the next place to say somewhat; and of those first which lie farthest off.

We have said before, that when the king left Shrewsbury, and marched to meet the earl of Essex, (which he did at Edge-hill,) all his designs being to come to a battle; and the opinion of most,

that a battle would determine all; he was to apply all the strength and forces he could possibly raise, to the increasing his army; so that he left no one garrison behind him, but relied upon the interest and authority of the lord Strange, (who was, by the death of his father, now earl of Derby,) to suppress all commotions and insurrections, which might happen in the counties of Lancashire and Cheshire; which his lordship was confident he should be able to do, and was then generally believed to have a greater influence upon those two counties, and a more absolute command over the people in them, than any subject in England had, in any other quarter of the kingdom. The town of Shrewsbury, and that good county, where the king had been so prosperous, (and by which the people were more engaged,) he intrusted only to that good spirit that then possessed it, and to the legal authority of the sheriffs and justices of the peace. And it fared in those counties as in all other parts of the kingdom, that the number of those who desired to sit still was greater than of those who desired to engage in either party; so that they were generally inclined to articles of neutrality. And in Cheshire, the active people of both sides came to those capitulations, with as much solemnity as had been in Yorkshire, and with the same declaration (so much the same, that there was no other difference but alterations of names and places) were absolved from the observation of them. And then sir William Bruerton, a gentleman of a competent fortune in that county, and knight for that shire in parliament, but most

notorious for a known aversion to the government of the church, bringing with him from London a troop of horse, and a regiment of dragoons, marched thither to protect those who were of that party, and, under such a shelter, to encourage them to appear.

The city of Chester was firm to the king, by the virtue of the inhabitants, and interest of the bishop, and cathedral men; but especially by the reputation and dexterity of Mr. [O.] Bridgman, son to the bishop, and a lawyer of very good estimation; who not only informed them of their duties, and encouraged them in it, but upon his credit and estate, both which were very good, supplied them with whatsoever was necessary for their defence; so that they were not put to be honest and expensive together. But as they had no garrison of soldiers, so they had no officer of skill and experience to manage and direct that courage which, at least, was willing to defend their own walls; which they were now like to be put to. Therefore the king sent thither sir Nicholas Byron, a soldier of very good command, with a commission to be "colonel general of Che-"shire and Shropshire; and to be governor of "Chester;" who being a person of great affability and dexterity, as well as martial knowledge, gave great life to the designs of the well affected there; and, with the encouragement of some gentlemen of North Wales, in a short time raised such a power of horse and foot, as made often skirmishes with the enemy; sometimes with notable advantage, never with any signal loss; so that sir

William Bruerton fortified Nantwich, as the king's party did Chester: from which garrisons, which contained both their forces, they contended which should most prevail upon, that is most subdue, the affections of the county, to declare for and join with them. But the fair expectation of Cheshire was clouded by the storms that arose in Lancashire, where men of no name, and contemned interest, by the mere credit of the parliament, and frenzy of the people, on a sudden snatched that large and populous county from their devotion to the great earl of Derby.

The town of Manchester had, from the beginning, (out of that factious humour which possessed most corporations, and the pride of their wealth,) opposed the king, and declared magisterially for the parliament. But as the major part of the county consisted of papists, of whose insurrections they had made such use in the beginning of the parliament, when they had a mind to alarm the people with dangers; so it was confidently believed, that there was not one man of ten throughout that county, who meant not to be dutiful and loyal to the king: yet the restless spirit of the seditious party was so sedulous and industrious, and every one of the party so ready to be engaged, and punctually to obey; and, on the other hand, the earl of Derby so unactive, and through greatness of mind so uncomplying with those who were fuller of alacrity, and would have proceeded more vigorously against the enemy; or, through fear so confounded, that, instead of countenancing the king's party in Cheshire, which was expected from him, the earl, insensibly, found Lancashire to be almost possessed

against him; the rebels every day gaining and fortifying all the strong towns, and surprising his troops, without any considerable encounter. And yet, so hard was the king's condition, that, though he knew those great misfortunes proceeded from want of conduct, and of a vigorous and expert commander, he thought it not safe to make any alteration, lest that earl might be provoked, out of disdain to have any superior in Lancashire, to manifest how much he could do against him, though it appeared he could do little for him. Yet it was easily discerned, that his ancient power there depended more upon the fear than love of the people; there being very many, now in this time of liberty, engaging themselves against the king, that they might not be subject to that lord's commands.

However, the king committing Lancashire still to his lordship's care, (whose fidelity, without doubt, was blameless, whatever his skill and courage was,) he sent the lord Capel to Shrewsbury, with a commission of "lieutenant general of Shropshire, "Cheshire, and North Wales;" who, being a person of great fortune and honour, quickly engaged those parts in a cheerful association; and raised a body of horse and foot, that gave sir William Bruerton so much trouble at Nantwich, that the garrison at Chester had breath to enlarge its quarters, and to provide for its own security; though the enemy omitted no opportunity of infesting them, and gave them as much trouble as was possible. And it cannot be denied but sir William Bruerton, and the other gentlemen of that party, albeit their education and course of life had been very different

from their present engagements, and for the most part were very unpromising to matters of courage, and therefore were too much contemned enemies, executed their commands with notable sobriety, and indefatigable industry, (virtues not so well practised in the king's quarters,) insomuch as the best soldiers who encountered with them had no cause to despise them. It is true, they had no other straits and difficulties to struggle with, than what proceeded from their enemy; being always supplied with money to pay their soldiers, and with arms to arm them; whereby it was in their power not to grieve and oppress the people. And thereby (besides the spirit of faction that much governed) the common people were more devoted to them, and gave them all intelligence of what might concern them; whereas they who were intrusted to govern the king's affairs had intolerable difficulties to pass through; being to raise men without money, to arm them without weapons, (that is, they had no magazine to supply them,) and to keep them together without pay; so that the country was both to feed and clothe the soldiers; which quickly inclined them to remember only the burden, and forget the quarrel.

And the difference in the temper of the common people of both sides was so great, that they who inclined to the parliament left nothing unperformed that might advance the cause; and were incredibly vigilant and industrious to cross and hinder whatsoever might promote the king's: whereas they who wished well to him thought they had performed their duty in doing so, and that they had done

enough for him, in that they had done nothing against him.

Though, by this sending the lord Capel, those counties of Shropshire and Cheshire, with the assistance of North Wales, kept those parts so near their obedience, that their disobedience was not yet pernicious to the king, in sending assistance to the earl of Essex against his majesty, or to the lord Fairfax against the earl of Newcastle; yet those counties which lay in the line between Oxford and York were, upon the matter, entirely possessed by the enemy. The garrison of Northampton kept that whole county in obedience to the parliament, save that from Banbury the adjacent parishes were forced to bring some contribution thither. In Warwickshire the king had no footing; the castle of Warwick, the city of Coventry, and his own castle of Killingworth, being fortified against him. The lord Grey, son to the earl of Stamford, had the command of Leicestershire, and had put a garrison into Leicester. Derbyshire, without any visible party in it for the king, was under the power of sir John Gell, who had fortified Derby. And all these counties, with Staffordshire, were united in an association against the king under the command of the lord Brook; who was, by the earl of Essex, made general of that association; a man cordially disaffected to the government of the church, and upon whom that party had a great dependence. This association received no other interruption from, or for the king, than what colonel Hastings gave; who, being a younger son to the earl of Huntingdon, had appeared eminently for the king

from the beginning; having raised a good troop of horse with the first, and, in the head thereof, charged at Edge-hill.

After the king was settled at Oxford, colonel Hastings, with his own troop of horse only, and some officers which he easily gathered together, went with a commission into Leicestershire, of "colonel general of that county," and fixed himself at Ashby de la Zouch, the house of the earl of Huntingdon, his father, who was then living; which he presently fortified; and, in a very short time, by his interest there, raised so good a party of horse and foot, that he maintained many skirmishes with the lord Grey: the king's service being the more advanced there, by the notable animosities between the two families of Huntingdon and Stamford; between whom the county was divided passionately enough, without any other quarrel. And now the sons fought the public quarrel, with their private spirit and indignation. But the king had the advantage in his champion, the lord Grey being a young man of no eminent parts, and only backed with the credit and authority of the parliament: whereas colonel Hastings, though a younger brother, by his personal reputation, had supported his decaying family; and, by the interest of his family, and the affection that people bore to him, brought, no doubt, an addition of power to the very cause. Insomuch as he not only defended himself against the forces of the parliament in Leicestershire, but disquieted sir John Gell in Derbyshire, and fixed some convenient garrisons in Staffordshire.

About the same time, some gentlemen of that county, rather well affected than well advised, be-

fore they were well enough provided to go through their work, seized [on] the Close in Lichfield for the king; a place naturally strong, and defended with a moat, and a very high and thick wall; which in the infancy of the war was thought a good fortification. To suppress this growing force, within the limits of his association, the lord Brook advanced with a formed body of horse, foot, and cannon; part drawn from the earl of Essex's army, and the rest out of the garrisons of Coventry and Warwick; and, without any resistance, entered the city of Lichfield; which, being unfortified, was open to all comers. The number in the Close was not great, nor their provisions such as should have been, and very well might have been, made; so that he made no doubt of being speedily master of it; sir John Gell having brought up a good addition of strength to him from Derby. He was so far from apprehending any danger from the besieged, that himself lodged in a house within musket-shot of the Close; where, the very day he meant to assault it, sitting in his chamber, and the window open, he was, from the wall of the Close, by a common soldier, shot with a musket in the eye; of which he instantly died without speaking a word.

There were many discourses and observations upon his death, that it should be upon St. Chad's day, (being the second day of March,) by whose name, he being a bishop shortly after the planting of Christianity in this island, that church had been anciently called. And it was reported, that in his prayer, that very morning, (for he used to pray publicly, though his chaplain were in the presence,) he wished, "that, if the cause he were in were not

"right and just, he might be presently cut off." They who were acquainted with him believed him to be well natured and just; and rather seduced and corrupted in his understanding, than perverse and malicious. Whether his passions or conscience swayed him, he was undoubtedly one of those who could have been with most difficulty reconciled to the government of church or state: and therefore his death was looked upon as no ill omen to peace, and was exceedingly lamented by that party; which had scarce a more absolute confidence in any man than in him. However, it brought not that relief to the besieged in the Close as was believed it would; for the same forces, under sir John Gell, proceeded so vigorously in the work, and they within so faintly or unskilfully, that without any of that distress which men thought it might bear, and which it did, within a short time after, bear against the king, the place was yielded without other conditions than of quarter; by which many persons became prisoners, of too good quality to have their names remembered.

By this prize, the spirits of that party were much exalted, and the king's party in those parts as much cast down. Yet some gentlemen betook themselves to the town of Stafford, and having too much declared for the king, when they thought Lichfield would have been of strength to secure them, to hope to live unhurt at their houses, resolved to defend that place; against which the triumphant Gell drew his late fleshed troops. But the earl of Northampton (who intended the relief of Lichfield, if they had had any patience to expect it) with a strong party of horse and dragoons, from his

garrison of Banbury, came seasonably to their succour, and put himself into the town; and, the same night, beat up a quarter of the enemy's, in which he killed and took above an hundred of their horse. Sir John Gell retired so far as to meet with sir William Bruerton, who, from Nantwich, was coming to join with him for the subduing of Stafford; and, having done that, resolved to march in a body for the clearing the other counties. When they were joined, being near three thousand foot and horse, with a good train of artillery, they moved back towards Stafford, imagining the earl of Northampton would meet them without the walls: and it so fell out; for the earl no sooner heard that the rebels were drawing towards the town, but he drew out his party to encounter them; imagining it could be only Gell, whose numbers he understood, and whose courage he much undervalued.

It was on a Sunday, about the middle of March, when, in the afternoon, he marched out of Stafford; his party consisting of horse, and dragoons, and some few foot, the whole number being under one thousand, and found the enemy, in very good order, expecting them upon a place called Hopton-Heath, some two miles from Stafford. Though the number was more than double to the earl's, yet the heath seeming very fair, the breadth of it being more than musket-shot from enclosure on each side, and the number of his horse being at least equal to the other, he resolved to charge them; and accordingly did, with so good success, that he totally routed that part of their horse; and, rallying again his men, he charged the other part of

their horse, which stood more in shelter of their foot; and so totally routed and dispersed them, that the enemy had scarce a horse left upon the field; and took likewise from them eight pieces of cannon.

In this second charge, the earl of Northampton, being engaged on the execution, very near or among their foot, had his horse killed under him. So that his own horse (according to their unhappy practice) with too much fury pursuing the chase, he was left encompassed by his enemy, so that what his behaviour was afterwards, and their carriage towards him, can be known only by the testimony of the rebels; who confessed, that, after he was on his feet, he killed with his own hand the colonel of foot who made first haste to him; and that, after his headpiece was stricken off with the but-end of a musket, they offered him quarter; which, they say, he refused; answering, "that he "scorned to take quarter from such base rogues "and rebels, as they were." After which, he was slain by a blow with a halbert on the hinder part of his head, receiving, at the same time, another deep wound in his face.

All this time the enemy's foot stood, which (after their horse were dispersed) sir Thomas Byron, who commanded the prince of Wales's regiment, a gentleman of great courage, and of very good conduct, charged with good execution. But the night came on apace, and the field, which they thought so fair, was found full of coal-pits and holes dangerous for their horse; so that they thought fit to forbear farther action, till they might

have the morning's light; and stood all that night in the field. When the morning appeared, there was no enemy to be seen. For as soon as the fight ended, and the night drew on, that they were unperceived, they had left the field, in hope that their scattered horse would find them in quarters more remote from the danger. But the victorious party was so harassed with duty, and tired with the fight, so cast down with the loss of their general, and so destitute of officers to direct and command what was next to be done, (for the lord Compton, the earl's eldest son, had received a shot in the leg; sir Thomas Byron a shot in the thigh, whereby they were not able to keep the field; and many other officers hurt,) that they retired to refresh themselves at Stafford, after they had taken the spoil of the field, and buried their dead.

In this fight, which was sharp and short, there were killed, and taken prisoners, of the parliament party, above two hundred, and more than that number wounded. For, the horse charging among their foot, more were hurt than killed. Eight pieces of their cannon, and most of their ammunition was likewise taken. Of the earl's party were slain but five and twenty, whereof there were two captains, some inferior officers, and the rest common men; but there were as many hurt, and those of the chief officers. They who had all the ensigns of victory, but their general, thought themselves undone; whilst the other side, who had escaped in the night, and made a hard shift to carry his dead body with them, hardly believed they were losers:

Et, velut æquali bellatum sorte fuisset,
Componit cum classe virum———

The truth is, a greater victory had been an unequal recompense for a less loss. He was a person of great courage, honour, and fidelity, and not well known till his evening; having, in the ease, and plenty, and luxury of that too happy time, indulged to himself, with that license which was then thought necessary to great fortunes: but from the beginning of these distractions, as if he had been awakened out of a lethargy, he never proceeded with a lukewarm temper. Before the standard was set up, he appeared in Warwickshire against the lord Brook, and as much upon his own reputation as the justice of the cause (which was not so well then understood) discountenanced, and drove him out of that county. Afterwards he took the ordnance from Banbury castle, and brought them to the king. As soon as an army was to be raised, he levied, with the first, upon his own charge, a troop of horse, and a regiment of foot, and (not like some other men, who warily distributed their family to both sides, one son to serve the king, whilst his father, or another son, engaged as far for the parliament) entirely dedicated all his children to the quarrel; having four sons officers under him, whereof three charged that day in the field: and, from the time he submitted himself to the profession of a soldier, no man more punctual upon command, no man more diligent and vigilant in duty. All distresses he bore like a common man, and all wants and hardnesses, as if he had never known plenty or ease; most prodigal of his person to danger; and would often say, "that if he outlived

" these wars, he was certain never to have so noble " a death." So that it is not to be wondered, if, upon such a stroke, the body that felt it, thought it had lost more than a limb.

As soon as it was known where the enemy rested after their retreat, the young earl of Northampton sent a trumpet to sir John Gell, to desire the body of his father, that he might give it such decent burial as became him. Gell and Bruerton jointly, by letter, demanded, " in exchange for the dead " body, all their ammunition, prisoners, and can- " non, they had lost at the battle;" which demands being so unreasonable, and against the law of arms, the earl sent again to them, to desire, " that if they " would not return the corpse, that his chirurgeon " might have leave to embalm it, whereby it might " be preserved to receive those rites, when they " should be willing to gratify him, which, he pre- " sumed, upon more dispassionate thoughts, they " would be." Their answer to this was as unrea- sonable as the other; " that they would neither " send the body, nor permit his chirurgeons to " come to embalm it;" presuming, it is probable, that the piety of the son would have prevailed to have their unheard of propositions complied with.

And so we shall, for the present, leave these parts, and visit the principality of Wales; of which, hitherto, very little hath been said; and from the affection whereof, the king had, from the beginning, a very great benefit; it having supplied him with three or four good regiments of foot, in which many of their gentry were engaged, before the battle of Edge-hill.

It hath been before remembered, that the mar-

quis of Hertford drew with him out of Wales, and brought to Oxford, about Christmas, near two thousand men; leaving Wales guarded only with the courage and fidelity of the gentry and inhabitants. After that, North Wales lying most convenient to back Chester and Shrewsbury, which places, whilst the enemy was master of the field, received their chief supplies of men and provisions from thence; the king always put it under the government of those to whom he committed those parts. South Wales, which is much the larger and richer part of that dominion, he committed to the charge of the lord Herbert, eldest son to the marquis of Worcester; whom he made his lieutenant general, adding Monmouthshire to his commission.

There were, in the opinion of many, great objections against committing that employment to that noble lord, whose person many men loved, and very few hated. First, he had no knowledge or experience in the martial profession; then his religion, being of that sort of catholics the people rendered odious, by accusing it to be most jesuited, men apprehended would not only produce a greater brand upon the king, of favouring papists and popery, than he had been yet reproached with; (for, though he had some papists entertained in his armies, yet all men trusted by him in superior commands were men of unblemished integrity in the protestant religion; and in all his armies he had but one general officer of the contrary religion, sir Arthur Aston, whom the papists notwithstanding would not acknowledge for a papist;) this gave opportunity and excuse to many persons of

quality, and great interest in those counties, (between whom and that lord's family there had been perpetual feuds and animosities,) to lessen their zeal to the king's cause, out of jealousy of the other's religion; and those contestations had been lately improved with some sharpness, by the lord Herbert's carriage towards the lord marquis of Hertford, during the time of his residence there; when, out of vanity to magnify his own power, he had not shewed that due regard to that of the other, which he should have had. And no doubt, if he had been of that mind, it would much more have advanced the king's service, if he would have contributed his full assistance to another, who more popularly might have borne the title of such a command.

But, on the other side, the necessity of disposing those parts, divided from the rest of the kingdom, under the command of some person of honour and interest, was very visible; and the expedition in doing it was as penal and necessary; the parliament being possessed of Gloucester and Bristol, and so having such an influence upon the trade and livelihood of that people, by their absolute command of the Severn, that, except there were extraordinary care of keeping them, they would be quickly lost. Besides that, at the same time, there was discourse, in the houses, "of sending "the earl of Pembroke thither," whose estate was very great in those parts, and his reputation equal. Then the parliament had already such a footing in Pembrokeshire, that many of the principal gentlemen had declared for them; and the harbour of Milford-Haven gave their fleet opportunity to give

them all supplies and relief. This being the state of those parts, the lord Herbert not only offered, but desired to receive that command; and engaged himself, "not only to secure it from the opposition "and malignity of the other party, but, before the "spring, to raise such a strength of horse and "foot, and to provide such an equipage to march "with, that might reduce Gloucester, and be then "added to the king's army, when he should be "ready to take the field; and all this so much at "his own charge," (for his father, who was well able, would furnish money, as was pretended, upon the king's promise to repay him, when he should be restored to his own,) "that he would receive no "part of the king's revenue, or of such money as "he could be able to draw for the supply of his "own more immediate occasions."

This was a very great offer, and such as no man else could so reasonably make. For the marquis of Worcester was generally reputed the greatest monied man of the kingdom; and, probably, might not think it an unthrifty thing, rather to disburse it for the king, who might be able to repay it, than to have it taken from him by the other party; which would be hardly questionable if they prevailed. The lord Herbert himself was a man of more than ordinary affection and reverence to the person of the king, and one, who, he was sure, would neither deceive nor betray him. For his religion, it might work upon himself, but could not disquiet other men. For though he were a papist, he was never like to make others so; and his reputation and interest was very great with many gentlemen of those counties, who were not at all

friends to his religion. It was not possible to employ any person of interest and power in those parts, (and there were many objections, from the nature and manners of that people, against a mere stranger,) against whom there would not be some faction and animosity; for the emulations, and dissension between families was general, and notorious; and therefore it would be best to choose such a one, who was like to have a greater faction for him, than against him. And it was to be hoped that the old grudges and prejudices, which had been rather against the house of Worcester, and the popish religion professed there, than against the person of this lord, would have been composed and declined by his fair and gentle carriage towards all men, (as in truth he was of a civil and obliging nature,) and by the public-heartedness of those, who, for the cause, and conscience sake, would, it was hoped, sacrifice all trivial and private contentions to a union that must vindicate the religion, honour, and justice of the kingdom.

Upon these reasons, and these presumptions, the king granted such a commission, as is before mentioned, to the lord Herbert; who, with more expedition than was expected by [many], or by others believed possible, raised a body of above fifteen hundred foot, and near five hundred horse, very well and sufficiently armed; which increased the merit of the service.

The horse he put under the command of his brother, the lord John Somerset, a maiden soldier too; and the foot under colonel Lawly, whom he made his major general, a bold and a sprightly

officer. About the middle of February he marched towards Gloucester, with an ill omen at his setting out; for a rabble of country people being got together, without order, or officer of name, barricadoed a little village in the forest of Deane, called Cover, (through which he was to pass,) and refused to give him entrance; and out of a window killed colonel Lawly, and two officers more, without hurting a common soldier; whereby that body was destitute of any person of experience to command them. However, the lord Herbert, who was himself seldom with his forces, shortly after placed colonel Brett in that command; who, without any skirmish of importance, marched through the forest of Deane, and fixed a quarter, which contained his whole body, at the Vineyard, the bishop of Gloucester's palace, within less than half a mile of Gloucester. And by that means, there being only a long bridge over the Severn, by which men could come out or go in to Gloucester, he fully blocked up the town on that side, expecting that prince Maurice from Cirencester should take equal care to distress it on the other; which he did to a good degree.

But sir William Waller, with a light party of horse, and dragoons, near two thousand, from the earl of Essex's army, had made a quick march through Wiltshire, (after his taking of Chichester,) and taking, with little loss and trouble, a small garrison of the king's, consisting of about six or seven score, at Malmsbury, before it was fortified, or provided, made a face of looking towards Cirencester; where when he found he was expected, by a sudden night march, in which he was very dex-

terous and successful, he posted to the river of Severn, six miles west of Gloucester, from whence he had appointed many flat boats to meet him; and in them, in the light day, the guard of the river being either treacherously or sottishly neglected by the lord Herbert's forces, transported his whole body, which, upon the advantage of that pass, might have been resisted by a hundred men. Hereupon the consternation was so great among the new Welsh soldiers, very few of their officers having ever seen an enemy, that though their works were too good to be entered by horse and dragoons; though the avenues were but narrow, in all which they had cannon planted, and their numbers very near, if not fully, equal to the enemy; upon the advance of sir William Waller upon them, without giving or receiving blow, they fairly sent out to treat; and as kindly delivered up themselves, and their arms, upon the single grant of quarter: a submission so like a stratagem, that the enemy could hardly trust it. Yet, in the end, they made a shift to put near thirteen hundred foot, and three troops of horse, prisoners into Gloucester, the lord Herbert himself being at that time at Oxford, and the lord John Somerset with three or four troops at a safe distance from the rest.

This was the end of that mushroom-army, which grew up and perished so soon, that the loss of it was scarce apprehended at Oxford, because the strength, or rather the number, was not understood. But if the money, which was laid out in raising, arming, and paying that body of men, which never advanced the king's service in the least degree, had been brought into the king's receipt at Oxford,

to have been employed to the most advantage, I am persuaded the war might have been ended the next summer. For I have heard the lord Herbert say, " that those preparations, and the other, which " by that defeat were rendered useless, cost above " threescore thousand pounds;" whereof, though much came from the marquis's coffers, yet, no doubt, the general contributions from the catholics made a good part; and very considerable sums were received by him of the king's revenue upon wardships, and other ways: for it was a common practice in those times, for men to get into employments upon promises, that they would not do this or that, without which nobody else would undertake that service; and being, upon those terms, received into it, they immediately did the other, because no other man could do the service without it.

The fame of this prodigious victory so subdued all those parts, that sir William Waller, with the same spirit of celerity, and attended with the same success, flew to Hereford; and, being a walled town, and replenished with a garrison, had that likewise delivered to him upon the same terms as the other was; and from thence (being with more confidence refused to be admitted into Worcester, than he thought reasonable to require it) passed to Tewkesbury; which he likewise surprised, being newly garrisoned; his motion being so quick, that though prince Maurice attended him with all possible diligence, he could never farther engage him than in light skirmishes; and, having taken this progress, returned safe to Gloucester; and from thence to the earl of Essex's army; having

made no other use of his conquests, than the dishonouring so many places, which had so quietly yielded to him; into which (for he fixed no one garrison) the king's forces immediately entered again. So that his majesty's quarters continued the same they were, harassed only, and discountenanced, nothing straitened by this incursion; and the lord Herbert again intended new levies.

Having now, with as much clearness as I could, remembered the true state of the king's affairs, and the condition of the kingdom, at the end of this year 1642, with which I intend to conclude this sixth book; I shall, before I return to Oxford, to conclude the year, briefly call to remembrance the disconsolate state of Ireland; of which, advantage was always taken against the king, to render him odious to the people, as if he countenanced, at least not sufficiently abhorred, that wicked and unnatural rebellion. And this imputation was with so great art insinuated, that it got credit with many; insomuch as I have heard some, who could make no other excuse for adhering to the parliament, than, "they were persuaded that the "king favoured those rebels;" which, they said, "could not be without some design upon the "religion, liberty, and prosperity of England." Whereas I can aver truly, upon as good grounds as ever any man spoke the heart of another, that the king always looked upon it, as the most groundless, bloody, and wicked rebellion, that ever possessed the spirits of that people; and was not more grieved at any one circumstance of the domestic distraction, than as it hindered him from

chastising and taking vengeance upon the other: which from his soul he desired.

But in this discourse of Ireland, it cannot be imagined, neither do I intend to mention all the memorable actions, (in which were as great instances of God's own detestation of those inhuman rebels, by the signal victories he gave against them,) or other transactions within that kingdom; but shall remember no more of that business, than had immediate reference to, and dependence on, the difference between the king and the two houses of parliament.

It is said before, that when the first visible rupture was declared between them, which was in the business of Hull, (which the king understood to be a direct levying of war against him,) in the protestation made by his majesty, "that he would "no farther treat or concur with them in any acts "proposed by them, till he first received reparation "or satisfaction in that particular;" he always excepted what should any way concern Ireland: in which he offered to consent to whatsoever might reasonably conduce to the reducing those rebels; and did, after that, concur in some propositions of that nature. Yet it is certain that, from that time, the two houses were so busy in preparing the war for England, that they did very little advance the war of Ireland; save only by some small supplies of money and provisions. The king objected to them, "the employing the monies, raised, by acts "of parliament, for the preservation and reduction "of Ireland, with a special clause that the same "should not be diverted to any other use whatso-"ever, in the supporting the unnatural war and

" rebellion against his majesty; particularly one " hundred thousand pounds at one time; and that " many soldiers, raised under pretence of being " sent into Ireland, were, contrary to their ex- " pectation and engagement, forced to serve under " the earl of Essex against the king;" of which he named sir Faithful Fortescue's regiment of horse, and the lord Wharton's and the lord Kerry's regiment of foot.

To this they answered, " that albeit they had, " upon the urgent occasions of this kingdom, " sometimes made use of monies raised and col- " lected for Ireland; yet that they had in due time " repaid it, and that the other affairs had never " suffered by the loan: and for the men, that it " proceeded from his majesty's own default; for " after they had raised them, with a serious inten- " tion to send them into Ireland, under the com- " mand of the lord Wharton, the king refused to " grant a commission to him to transport them, " and so they had been compelled to use them in " their own service here."

The king replied, " that it appeared, they had " diverted that money to other uses than those for " which it was provided; which was manifestly " unlawful; and that it did not appear they had " again reimbursed it, because very little supply " was sent thither, and very much wanted: and " for the soldiers, that they first levied them, " without his majesty's leave; which they had " always before asked, for their other levies; and " being levied, they desired a commission for the " lord Wharton to command them absolutely, " without any dependence upon the lord lieutenant

" of Ireland; which had been never heard of, and " which his majesty refused; but offered such a " commission as was granted to other men."

On the other hand, they objected to the king, " the seizing some cart-horses at Chester, provided " for the train of artillery for Ireland; that his " forces had taken many clothes and provisions on " the road, which were going to Chester to be " transported thither for the relief of the soldiers; " and that he entertained and countenanced men " in his court, which were favourers or actors in " that rebellion:" naming the lord viscount Costeloe, and the lord Taffe, which gave great umbrage to those who were well affected, and as great encouragement to the rebels there.

To the first, the king confessed, " he found " about six score horses at Chester, which had " long lain there; and, at his remove from Not- " tingham, knowing the other horse and men " raised for Ireland were then marching with the " earl of Essex against him, he knew not but these " likewise might be so employed, and therefore in " his own necessity took them for his own draughts. " For the clothes, which had been taken by his " soldiers, that it proceeded by the default of the " parliament; who, after the war was begun, had " sent those carriages through his quarters, with- " out sending to his majesty for a safe conduct, or " giving any notice to him of it, till after they were " taken: that it was within two miles of Coventry " (which was then in rebellion) that those clothes " were taken; and that, as soon as he knew they " were designed for Ireland, his majesty had used " the best means he could to recover them; but

" that the soldiers, who were almost naked, had " divided them for their own supplies; and his " majesty offered to give a safe conduct at all " times for whatsoever should be designed for " Ireland."

The occasion of the other reproach, " for coun- " tenancing persons who adhered to the rebels," was this. The lords Dillon (viscount Costeloe) and Taffe had, four months before, passed out of Ireland into England, having never been in consort with the rebels, but so much trusted by them, that they desired, by their hands, to address a petition to the king; humble enough, desiring " only to be " heard, and offering to submit to his majesty's " single judgment." With this petition, and all other instructions, as they pretended, these lords acquainted the lords justices and council of Ireland; who were so well satisfied with the persons employed, that they granted their safe pass, and sent letters by them of testimony. They were no sooner landed in England, but they were apprehended, and sent prisoners to the parliament, and by them committed with all strictness, " as agents employed " by the rebels of Ireland to the king;" and that circumstance enforced, and spread among the people, with all licentious glosses against the king; who, for that reason, took no notice of their restraint, though from his ministers he received advertisement of the truth of the whole business. After some time was spent in close imprisonment, these lords, by petition, and all other addresses they could make, pressed to be brought to any kind of examination and trial; of which they found no other benefit, than that, upon this importunity,

their imprisonment was less close; and, by degrees, under a formal restraint, (which, though more pleasant, was not less costly,) had the liberty of London, and from thence, after four months' restraint, without being formally charged with any crime, or brought to any trial, which they often desired, they escaped, and came to York; whither a messenger from the house of commons followed them, and demanded them as prisoners.

Many were of opinion, that they should have been delivered back; foreseeing that the parliament would press the scandal of sheltering them much to the king's disadvantage; and any imputations, "of countenancing the rebels of Ireland," found more credit, and made deeper impression with the people, than any other discourses of "protecting "malignants and delinquents." On the other side, it was thought unreasonable to remit men to an imprisonment, which appeared to have been unjust, by their not being proceeded against in so long time; especially when their coming to the king would be declared such a crime, that it would be now in their enemies' power to cause them to be punished; which before they could not do; at best, it were to deliver them up to the sergeant of the house of commons, from whence no innocence could redeem them, without paying such vast fees, as would amount to a greater sum than they could probably be supplied with. So that the king, who wished that they had rather gone any whither than where he was, resolved to take no notice of their escape. And so they continued in his quarters, and put themselves into the troops; where they

behaved themselves with good courage, and frankly engaged their persons in all dangerous enterprises.

In these jealousies and contests, the king being visibly and confessedly unable to send succours of any kind thither, and the parliament having enough else to do, and, in truth, not taking so much pains to preserve it, as to impute the loss of it to the king, poor Ireland got very small relief. The earl of Leicester, lord lieutenant of that kingdom, had received his despatch from the king, before he went to Shrewsbury. But when the king thought he would have gone directly to Chester, and so to Ireland, his lordship returned to London; which increased the king's jealousy and prejudice to him; which his former carriage, and a letter writ lately by him from Nottingham to the earl of Northumberland, and by order of parliament printed, had begot to a great degree. Shortly after his return to London, the house of commons demanded "to "see the instructions he had received from the "king;" which, as it was unreasonable in them, so he had received express command from the king, "not to communicate them." However, after he had avoided it as long as he could, and they continued peremptory in the demand, in the end, he produced them to be perused by the committee of both houses. The truth is, the earl's condition was very slippery, and almost impossible to be safely managed by the most dexterous person.

He was designed to that employment by the king, shortly upon the death of the earl of Strafford, (or rather before; not without some advice

from that earl,) with as great circumstances of grace and favour, as could be; and as a person, of whom entirely the king assured himself, being then so ungracious to the parliament, that as there were some sharp glances at him in that time, (which are before remembered,) so nothing preserved him from a public exception, but the interest of the earl of Northumberland, whose sister he had married; whom that party was not willing to irreconcile. After the rebellion was broke out in Ireland, and the king had committed the carrying on the war to the houses, he thought it absolutely necessary for his province, to render himself as gracious to that people as was possible; and laboured that with so good effect and industry, that he omitted that care which should have been observed in continuing his interest at court. For the king and queen grew every day less satisfied with him; which sure he did not with wariness enough provide against; though, I believe, he had never unfaithful purposes towards either of them; but did sadly project, by his demeanour and interest in the houses, to provide so well for Ireland, and to go thither in so good a condition, that, being once there, he might be able to serve the king as he should be required.

But one man is rarely able to act both those parts: for his shewing his instructions, he gave a reason, which, if he had been free from all other objections, might appear no ill excuse: "He knew "his instructions were such, that, being perused by "the committee, could by no misconstruction, or "possible perversion, be wrested to the king's dis-"advantage;" as indeed they never were able, nor ever attempted, to fix any reproach from them upon the king. "Whereas, after they were so

" peremptorily required, if he should have as " peremptorily refused to submit, they would have " concluded that there had been somewhat unjust- " ifiable in them, and upon that jealousy made no " scruple of publishing the worst reproaches upon " his majesty." And it may be, he was not without an imagination, that if by this contest he had drawn the displeasure of the two houses upon him, as could not be avoided, his misfortune at court might have suffered that to have depressed him, and revenged itself upon the choler of the other. And when he left the king between Nottingham and Shrewsbury, his condition was so low, that a man might have imagined his interest would be best preserved by being within the verge of the parliament's protection. As his return to London was besides the king's expectation, so his stay there was longer than seemed to be [intended] by his own proposal; for he staid there above two months, till after the battle of Edge-hill, and both parties being fixed in their winter quarters; and then, without waiting again on the king, though Oxford was very few miles out of his way, about the end of November, he went to Chester, with a purpose of transporting himself for Ireland, but without the least appearance of addition of strength, or provisions from the parliament; neither were their ships there ready to transport him.

About the end of November, four officers of the army in Ireland, sir James Montgomery, sir Hardress Waller, colonel Arthur Hill, and colonel Audly Mervin, having been employed from Ireland to solicit the parliament for succours, came from London to Oxford, and delivered a petition to the king; in which they told him, " that they had ad-

" dressed themselves to the parliament for supplies,
" whose sense of their miseries, and inclination to
" redress, appeared very tender to them; but the
" present distempers of the kingdom of England
" were grown so great, that all future passages,
" by which comfort and life should be conveyed to
" that gasping kingdom, seemed totally to be ob-
" structed; so that, unless his majesty, out of his
" singular wisdom and fatherly care, applied some
" speedy care, his loyal and distressed subjects of
" that kingdom must inevitably perish. They ac-
" knowledged his princely favour and goodness
" since this rebellion, so abundantly expressed in
" a deep sense and lively resentment of their bleed-
" ing condition; and therefore they besought him,
" among his other weighty cares, so to reflect upon
" the bleeding condition of that perishing kingdom,
" that timely relief might be afforded. Otherwise his
" loyal subjects there must yield their fortunes, as
" a prey; their lives, a sacrifice; and their religion,
" a scorn to the merciless rebels, powerfully as-
" sisted from abroad."

And indeed the condition of the protestants, in that kingdom, was very miserable: for, whilst the distractions of England kept them from receiving succours, the rebels had arms, ammunition, money, and commanders, from Rome, Spain, and France; the pope having sent a formal avowed nuncio, to whose jurisdiction the Irish submitted; and the kings of France and Spain having sent great supplies, and their agents, to countenance and foment the rebellion; who gave notable countenance to the assembly and formed council for the rebels, settled at Kilkenny.

The king, who well knew this petition was sent by the permission of those at Westminster, and that the agents employed were men of notorious disaffection to him, who looked for some such answer as might improve the envy of the people, used the messengers with all possible grace, and returned them as gracious an answer: "That, "from the beginning of that monstrous rebellion, "he had had no greater sorrow, than for the "bleeding condition of that his kingdom. That "he had, by all means, laboured, that timely relief "might be afforded to it, and consented to all "propositions, how disadvantageous soever to "himself, that had been offered to him to that "purpose; and, not only at first recommended "their condition to both his houses of parliament, "and immediately, of his own mere motion, sent "over several commissions, and caused some pro-"portion of arms and ammunition (which the pe-"titioners well knew to have been a great support "to the northern parts of that kingdom) to be "conveyed to them out of Scotland, and offered "ten thousand volunteers to undertake that war; "but had often pressed, by many several mes-"sages, that sufficient succours might be hastened "thither, and other matters of smaller importance "laid by, which did divert it; and offered, and "most really intended, in his own royal person, to "have undergone the danger of that war, for the "defence of his good subjects, and the chastise-"ment of those perfidious and barbarous rebels; "and in his several expressions of his desires of "treaty and peace, he had declared the miserable "present condition and certain future loss of Ire-

" land, to be one of the principal motives most " earnestly to desire, that the present distractions " of this kingdom might be composed, and that " others would concur with him to the same " end."

He told them, " He was well pleased, that his " offers, concurrence, actions, and expressions, " were so rightly understood by the petitioners, " and those who had employed them, (notwith- " standing the groundless and horrid aspersions " which had been cast upon him;) but he wished, " that, instead of a mere general complaint, to " which his majesty could make no return but of " compassion, they could have digested, and offered " to him any such desires, by consenting to which, " he might convey, at least in some degree, com- " fort and life to that gasping kingdom; preserve " his distressed and loyal subjects of the same " from inevitably perishing, and the true protest- " ant religion from being scorned and trampled " on by those merciless rebels. And, if the peti- " tioners could yet think of any such, and propose " them to his majesty, he assured them, that by " his readiness to consent, and his thanks to them " for the proposal, he would make it appear to " them, that their most pressing personal suffer- " ings could not make them more desirous of re- " lief, than his care of the true religion, and of his " faithful subjects, and of his duty, which obliged " him, to his power, to protect both, rendered him " desirous to afford it to them."

The king being fully informed now, as well by this committee, as from his ministers of state in that kingdom, of the growing power of the rebels

in Ireland, and of the weak resistance his good subjects were like to make, whose only hopes depended upon those succours which they presumed the lord lieutenant would bring over with him, and that he was now going thither without the least addition of strength, or probable assurance that any would be sent after him; his majesty considered likewise, that, besides the damp this naked arrival of the lord lieutenant there must cast upon the minds of all, it would make likewise a great alteration in the conduct of affairs there. For, upon his landing, the commission to the earl of Ormond, of lieutenant general of the army, would be determined; and there had those jealousies and disrespects passed between the earl of Leicester and him, that the earl of Ormond was resolved, no more to continue that command, but immediately to transport himself out of that kingdom; by which the king should lose the service of a person much the most powerful, most able, and most popular within that province; and who had, with wonderful courage and conduct, and almost miraculous success, hitherto restrained the rage and fury of the rebels, and indeed a man so accomplished, that he had either no enemies, or such who were ashamed to profess they were so.

Upon these considerations, the king thought fit, for some time, till he might farther weigh the whole business, to suspend the earl of Leicester's journey: and therefore sent to him to Chester (where he had lain, in some indisposition of health, above a fortnight; and the ships being not yet come for his transportation) "to attend "his majesty at Oxford;" which he did shortly

after Christmas, and continued there; the king directing the earl of Ormond (whom about this time he made a marquis) "to carry on the war as "he had done; and, during the absence of the "lord lieutenant, to dispose of all places and "offices in the army which became void;" and likewise making an alteration in the civil power; for whereas sir William Parsons and sir John Burlacy had continued lords justices from and before the death of the earl of Strafford, the king finding that sir William Parsons (who was a man of long experience in that kingdom, and confessed abilities, but always of suspected reputation) did him all imaginable disservice, and combined with the parliament in England, about this time removed sir William Parsons from that trust; and, in his room, deputed sir Harry Tichborne, a man of so excellent a fame, that though the parliament was heartily angry at the remove of the other, and knew this would never be brought to serve their turn, they could not fasten any reproach upon the king for this alteration.

Another circumstance must not be forgotten. After the war broke out in England, the parliament had sent over a couple of their members of the commons (Mr. Raynolds and Mr. Goodwyn) as a committee into Ireland, to reside at Dublin, and had given directions to the lords justices, "that they should have leave to be present at all "their consultations;" which they had; and were no other than spies upon those, who should presume to deliver any opinions there not agreeable to the sense of the houses. When the king made that alteration in the government, he likewise took

notice, that strangers were admitted to be present at their debates, which had never been before practised; and therefore required them, "that it "might be so no more." Hereupon, the committee, who had carried themselves very insolently and seditiously there, and with notable contempt of the king, and his authority, were, by the lords justices and council, inhibited from being present at the council; and thereupon they quickly left the kingdom, and returned to London; the parliament unreasonably and impudently accusing the king of a new breach of privilege, for this disrespect to their members. This was the state of Ireland, the war being that spring prosperously carried on by the marquis of Ormond, and the earl of Leicester still staying at Oxford with the title of lord lieutenant. And so we will return to Oxford and London.

Many days being past since the return of the committee of lords and commons from Oxford, with the king's answer to their propositions, and no reply being made by the houses, or indeed any solemn debate entered thereupon, (for his majesty had every day information of what passed among them, even in their most secret councils,) and, on the contrary, preparations more vigorously intended for the war, than had been before, in sending out strong parties to infest the king's quarters, (for, besides the incursions and progress of sir William Waller, which are before remembered, Mr. Hambden had made some attempts upon the Brill, a garrison of the king's upon the edge of Buckinghamshire, but without effect, and with some considerable loss,) in levying great numbers of men, for the

recruiting the earl of Essex's army; and designing new extraordinary ways for the raising of money, and associating several counties of the kingdom, towards the raising new armies: the king, as well to have the conveniency of sending to London, (of which journeys he made good use,) as to quicken and necessitate them to some reply, sent another message to them, putting them in mind of "the "proposition he had made for a cessation of arms;" and desired that "if they approved of a cessation, "that the day upon which they thought fit it "should begin, and such particulars, limits, and "conditions of it, as were necessary to be under-"stood, and agreed on, before the cessation itself "could actually begin, might be proposed by them. "Since," his majesty said, "he supposed, by the "present great preparations of several forces to "march several ways, that, till all that should be "agreed upon, they did not conceive themselves "obliged to an actual cessation; so neither, till "then, did his majesty conceive himself obliged to "it: however, he wished it might be clearly under-"stood between them, that no such imputations, "as had been formerly, might be laid upon him, "upon occasion of any thing that might inter-"vene."

This message put a necessity upon them, of entering again upon the argument, and gave them, who desired peace and accommodation, an opportunity to press for the debate, which had been craftily laid aside for the despatch of other matters; that party, which was most deeply engaged in the war, and resolved to carry it on, having a notable dexterity in keeping those things from being de-

bated, in which they found their sense would not prevail. And at this time, the number of those in both houses, who really desired the same peace the king did, was (if they had not been overwitted by them) superior to the other. For, besides that many persons, who from the beginning had always dissented from them, for their ease and conveniency had staid among them, very many were convinced in their understandings, that they had been misled; and discerned, in what a bottomless gulph of misery the kingdom would be plunged, if an immediate composure were not made; and some of those who had been as fierce as any, and given as great countenance to the kindling the fire, either out of conscience that they had done amiss, or fear that the king would prevail by power, or anger, that they found other men valued above them; in their present distraction, or their natural inconstancy even in ill, were most solicitous for a treaty. So that, within few days after the receipt of this message, both houses agreed, "that there should be a treaty, "in which so much of the king's propositions as "concerned the magazines, forts, and ships, and "the proposition of both houses for the disbanding "the armies, should be first treated on, and con- "cluded, before the proceeding to treat upon any "of the other propositions; and that the treaty "should begin the fourth of March, or sooner if it "might be; and that, from the beginning, the "time should not exceed twenty days."

The persons they made choice of to treat, were the earl of Northumberland, the lord Say, Mr. Pierrepoint, sir William Armyn, sir John Holland, and Mr. Whitlock, for whose safe conduct they

despatched a messenger to his majesty; this resolution being taken but the last day of February. As soon as the request was presented, the king returned a safe conduct for the earl of Northumberland and the four commoners; but refused to admit the lord Say to his presence, upon the same exception he had formerly refused sir John Evelyn at Colebrook; his lordship being personally excepted from pardon by a former proclamation; but signified, "that if they would employ any other person "not within the same rule, he should as freely come "as if he were in the safe conduct."

Whether the lord Say was nominated by those who believed they should be able, upon the refusal of him, (which they could not but foresee,) to break off all overtures of farther treaty; or whether they believed, they had so far prevailed by underhand negociations at Oxford, that he should be admitted, and that he would have been able to persuade the king to yield to what they proposed, or at least to have engaged the king to those who would have yielded to him, I know not; but as it was not so insisted on at Westminster as to break the treaty, so many were of opinion at Oxford, that the king should have admitted him. They said, "he was a "wise man, and could not but know, that it would "not be possible for him to make any impression "upon his majesty's judgment in the propositions "in debate; and therefore, that he would never "have suffered himself to be designed to that nego-"ciation, (which, without doubt, by his interest in "both houses he might have prevented,) if he did "not purpose to do some signal service to his ma-"jesty." And indeed many believed, "that if he

" had come, and found the king's goodness inclined " to pardon and trust him, that he would have done " the best he could, to redeem his former breaches." Others were of opinion, " that he was so far from " being inclined to serve the king, or advance the " treaty, that he should have been sent as a spy, " lest others should;" and these were the thoughts both at Oxford and London. But the king, who knew the lord Say as well as any of them, believed, that it was not in his power to do any good, and if it had, that it was not in his will; was resolved not to break his rule, lest such a remission might give advantage against him in the future: and so sent the answer above remembered. Together with this desire of a safe conduct, they sent his majesty word, " that they had likewise consented, that " there should be a cessation of arms on either side, " under the restrictions and limitations hereafter " following.

1. " That all manner of arms, ammunition, " victuals, money, bullion, and all other commodi- " ties, passing without such a safe conduct as may " warrant their passage, may be stayed and seized " on, as if no cessation was agreed on.

2. " That all manner of persons, passing without " such a safe conduct as is mentioned in the article " next going before, shall be apprehended, and " detained, as if no such cessation were agreed on " at all.

3. " That his majesty's forces in Oxfordshire " should advance no nearer to Windsor than " Wheatley, and in Buckinghamshire no nearer to " Aylesbury than Brill; and that, in Berkshire, " the forces respectively shall not advance nearer

" the one to the other, than now they are: and " that the parliament forces in Oxfordshire shall " advance no nearer to Oxford than Henley, and " those in Buckinghamshire no nearer to Ox- " ford than Aylesbury: and that his majesty's " forces shall make no new quarters, above twelve " miles from Oxford, any way; and the parliament " forces shall take no new quarters, above twelve " miles from Windsor, any way.

4. " That no siege shall be begun or continued " against Gloucester; and that his majesty's forces, " now employed in the siege, shall return to Ciren- " cester and Malmsbury, or to Oxford, as shall be " most for their convenience; and the parliament " forces, which are in Gloucestershire, shall remain " in the cities of Gloucester, Bristol, and the castle " and town of Berkley, or retire nearer to Windsor, " as they shall see cause: and that those of Wales, " which are drawn to Gloucester, shall return to " their quarters where they were before they drew " down to Gloucestershire.

5. " That, in case it be pretended on either side, " that the cessation is violated, no act of hostility " is immediately to follow, but first the party com- " plaining is to acquaint the lord general on the " other side, and to allow three days, after notice, " for satisfaction; and in case satisfaction be not " given, or accepted, then five days' notice to be " given, before hostility begin, and the like to be " observed in the remoter armies, by the com- " manders in chief.

6. " Lastly, that all other forces, in the kingdom " of England, and dominion of Wales, not before " mentioned, shall remain in the same quarters,

" and places, as they are at the time of publishing " this cessation, and under the same conditions as " are mentioned in the articles before. And that " this cessation shall not extend, to restrain the " setting forth or employing of any ships, for the " defence of his majesty's dominions."

All which they desired " his majesty would be " pleased to ratify and confirm; and that this ces- " sation might begin upon the fourth of March " next, or sooner if it might be; and continue until " the five and twentieth of the same month; and " in the mean time to be published on either side; " and that the treaty might likewise commence " upon the same day; and the continuance thereof " not to exceed twenty days."

These propositions were delivered to his majesty on the first of March, which was almost a month after the cessation had been proposed by him, (for his propositions were made on the third of February,) which administered cause of doubt, that the overture was not sincere; since it was hardly possible, that the cessation could begin so soon as the fourth, by which time, though the king should consent to the terms proposed, upon sight, his answer could very hardly be returned to them. But the articles themselves were such as occasioned much debate, and difference of opinion, among those who desired the same thing. The king, after the examination of them with his privy-council, and at a council of war, made a committee out of each, to consider the inconvenience his consent to them might produce to his party, if that cessation and treaty did not produce a peace; and the inequality in them, if the overture passed from an equal enemy

according to the rules of war. Some were of opinion, "that the cessation should be consented to "by the king, upon the articles proposed, though "they should be thought unequal, not only because "it would be an act of great grace and compassion "to the people, to give them some respite, and "taste of peace, and the not consenting to it (the "reason not being so easy to be understood) would "be as impopular and ungracious; but that, they "believed, it would at least cast the people into "such a slumber, that much of their fury and "madness would be abated; and that they would "not be easily induced to part with the ease they "felt, and would look upon that party as an enemy, "that robbed them of it; that it would give an "opportunity of charitable intercourse, and revive "that freedom of conversation, which, of itself, "upon so great advantage of reason, as they be-"lieved the king's cause gave, would rectify the "understanding of many who were misled; but "especially, that it would not only hinder the re-"cruit of the earl of Essex's army, (for that no "man would be so mad to declare themselves "against the king, when they saw a cessation, in "order to restoring the king to his rights,) but "would lessen the forces he had already; in that "the army consisted most of men engaged by the "pay, not affection to the cause; who, upon such "a remission of duty as would necessarily attend a "cessation, would abandon a party which they "foresaw, upon a peace, must be infamous, though "it might be secure: and whereas all overtures of "a treaty hitherto had advanced their levies upon

" pretence of being in a posture not to be con-
" temned, they believed, a real cessation would
" render those levies impossible."

Others thought " any cessation disadvantageous
" enough to the king; and therefore, that the
" terms, upon which it was to be made, were to be
" precisely looked to: that the articles proposed
" would only produce a suspension of present acts
" of hostility and blood among the soldiers; but
" not give the least taste of peace, or admit the
" least benefit to the people; for that all inter-
" course and conversation was inhibited, insomuch
" as no person of the king's party, though no sol-
" dier, had liberty to visit his wife, or family, out
" of the king's quarters, during this cessation; and
" the hindering recruits could only prejudice the
" king, not at all the earl of Essex, who had at pre-
" sent a greater army than ever before; and the city
" of London was such a magazine of men, as could
" supply him upon very small warning. Besides,
" though the state of the king's army and quarters
" about Oxford was such as might receive some
" advantage by a cessation; yet, in the west, it
" was hoped his affairs were in the bud; and the
" earl of Newcastle was so much master in the
" north, that if a peace ensued not, (which wise
" men did not believe was seriously intended on
" the parliament's part, by reason the propositions
" to be treated on were so unreasonable, and im-
" possible to be consented to,) such a cessation
" would hinder the motion and progress of the
" earl's good fortune, and give time to the lord
" Fairfax, who was at present very low, to put

" himself into such a posture as might give new " trouble." And it is certain the northern forces had then great dread of this cessation.

To these considerations was added another of greater moment, and which could be less answered and poized by any access of benefit or advantage on the king's party. Hitherto the parliament had raised their vast sums of money, for the support of their army, (which could only be supported by constant great pay,) and the discharge of their other immense expenses, incident to such a rebellion, from the city of London, and principally from their friends, not daring so rigidly to execute their ordinances generally, but contented themselves with some severe judgments upon particular men, whom they had branded with some extraordinary mark of malignancy, out of London, save only that they gleaned among their own zealots upon voluntary collections, and plundered by their army, which brought no supply to their common stock: and [of] what they imposed upon cities and towns, in which they had garrisons, (in which they had been likewise very tender,) they had received very little; not venturing yet, by any general tax and imposition upon the people, to inflame them, and inform them how far they meant to invade their liberty and their property, with the jealousy whereof they had blown them up to all those swellings and seditious humours against the king; and apprehending, that if they should attempt that, any encouragement of strength from any of the king's armies would make the whole kingdom rise against them.

But now, after they had agreed to a treaty, and framed even articles for a cessation, they passed an

ordinance for a weekly assessment throughout the kingdom, towards the support of the war; by which was imposed upon the city of London the weekly sum of ten thousand pounds, and upon the whole kingdom no less than a weekly payment of thirty-three thousand five hundred and eighteen pounds, amounting in the year to one million seven hundred forty-two thousand nine hundred thirty-six pounds; a prodigious sum for a people to bear, who, before this war, thought the payment of two subsidies in a year, which, in the best times, never amounted to above two hundred thousand pounds, and never in our age to above a hundred and fifty, an insupportable burden upon the kingdom: and indeed had scarce borne the same, under all the kings that ever reigned.

For the speedy and exact collection whereof, they appointed, by the same ordinance, commissioners in each county, such as were sufficiently inclined to, and engaged in their designs. To this they added other ordinances, for exacting the twentieth part, and other payments, throughout the kingdom; which had been only undergone (and that not generally) in London; and, above all, for the sequestering and seizing of the estates of all who adhered to the king. "Now if a cessation "were consented to by the king, on the articles "proposed, and thereby the king's forces locked "up within the several limits and narrow bounds, "in which they were contained, these ordinances "might be executed throughout all their quarters; "and thereby vast sums be raised. Their great "association of Norfolk, Suffolk, Cambridge, Hunt-"ingdon, Bedford, and Essex, (in neither of which

" the king had any visible party, or one fixed " quarter,) upon which, the apprehension of the " earl of Newcastle's advance upon them, kept " them from notable pressures, would by this " means yield them a great supply of men and " money. In Somersetshire and Devonshire, " whilst sir Ralph Hopton might hereby be kept " from advancing, they might raise what they " would, and might dispose of the stocks and " personal estates of those, whom they had, and " would declare to be malignant; and so this " cessation, besides the damage and prejudice to " the loyal party, would probably fill the rebels' " coffers, the emptiness whereof was the most, if " not only, probable way and means to determine " the war."

These considerations made a deep impression upon those, who believed the treaty was not like to produce a peace; the number of which was increased by a new resolution, at this time entered upon, and vigorously prosecuted, " to fortify the " city of London, and to draw a line about it;" which was executed with marvellous expedition; which, many believed, would not have been then done, both for the charge and jealousy of it, if it had not been resolved it should not yet return to the king's obedience. And many persons of honour and quality about the king, who had given great life to his affairs, were so startled with the sense of it, that they addressed themselves together to his majesty, and besought him, " that they " might not lose that now, by an unequal cessa- " tion, which had been preserved for them, during " the license of hostility; and that his and their

" enemies might not be that way enabled to destroy " them, which yet they durst not attempt to do." The king hereupon, after solemn debates in council, the chief officers of his army being present, resolved to make such alterations in the articles, as might make the terms a little more equal, at least prevent so intolerable disadvantages.

1. " To the first article as it was proposed by " them, his majesty fully and absolutely consented.

2. " To the second likewise fully, as far as it " concerned all officers and soldiers of the army; " but he proposed, that all other his subjects, of " what quality or condition soever, might, during " the cessation, pass to and from the cities of Ox- " ford or London, or any other parts of his ma- " jesty's dominions, without any search, stay, or " imprisonment of their persons, or seizure and " detention of their goods or estates: and that all " manner of trade and commerce might be open " and free between all his subjects, except between " the officers and soldiers of either army, or for " arms, ammunition, money, bullion, or victuals for " the use of either army, without a pass, or safe " conduct;" which, his majesty told them, " would " be a good beginning to renew the trade and cor- " respondence of the kingdom, and whereby his " subjects might be restored to that liberty and " freedom they were born to, and had so happily " enjoyed till these miserable distractions; and " which, even during this war, his majesty had, to " his utmost, laboured to preserve, opening the " way, by most strict proclamations, to the passage " of all commodities, even to the city of London " itself."

3, 4, 5, 6. To these the king likewise consented, with two provisions: first, "that such ships, as "were necessary to be set forth, should be com- "manded by such persons as his majesty should "approve of. Secondly, that, during the cessation, "none of his subjects should be imprisoned other- "wise than according to the known laws of the "land, and that there should be no plundering, or "violence offered to any of his subjects." The first of these was inserted, (without purpose of insisting on it,) lest by the king's consent to the article, in the terms it was proposed, he might be thought to consent in any degree to their usurpation of the naval authority. And the second was, to prevent the execution of the ordinances before mentioned.

And his majesty told them, "he hoped, these "small alterations would sufficiently manifest, how "solicitous he was for the good of his people, for "whose liberties he should insist, when, in matters "merely concerning himself, he might descend to "easier conditions; and how desirous he was, that, "in this unnatural contention, no more blood of "his subjects might be spilt, upon which he looked "with much grief, compassion, and tenderness of "heart, even [on the blood] of those, who had "lifted up their hands against him. And therefore "he doubted not, but both houses would consent to "them. However, if any scruples should be made, "he was willing that the commissioners for the "treaty might nevertheless immediately come to "him, and so all matters concerning the cessation "might be there settled between them."

After this answer returned by the king, many

days passed without any return to him; and in the mean time another address was made to his majesty, upon which the great managers at London had set their hearts, more than upon the treaty; and for which indeed they deferred their treaty. They had still a great dependence and confidence upon their brethren of Scotland, and yet that people moved very slowly; and, since the earl of Essex had been settled in his winter quarters, there had been high quarrels between the English and Scotch officers, insomuch as, upon some reproachful words which had been cast out, many swords were one day drawn in Westminster-hall, when the houses were sitting, between them; and a little blood drawn, which (though the houses industriously laboured to compose [it] with declarations "of their joint value and respect of that nation "with their own, and that their deserts could only "distinguish them") gave so great umbrage, that many of the Scots, some of eminent command, quitted the service; and it was hoped it would have broke any farther national combination in mischief.

But the general inclination to rebellion mastered those particular considerations and disobligations; and, about the end of February, to facilitate the king's consent to the grand proposition for the extirpation of episcopacy, (which the two houses had been, by the arts before mentioned, wrought to make; when, in truth, there were very few of themselves desired it; as, when it passed the house of peers, there were but five lords present,) there arrived at Oxford the earl of Lowden, lord chancellor of Scotland, and Mr. Alexander Henderson,

a man of equal fame in the distractions that arose in that kingdom: the former came as a commissioner from the lords of the secret council of that kingdom, or, as they then thought fit to call themselves, "the conservators of the peace between the "two kingdoms;" and desired to pass as a mediator in the differences between the king and the two houses, and that the king would give them leave upon the matter to be umpires between them. The other, Mr. Henderson, had a special employment from the assembly of the kirk of Scotland, to present a petition from that body to the king; the which, because it was then thought of a very strange nature and dialect, and because I shall always report the acts of that nation (as far as I am obliged to mention them) in their own words, I think very convenient to insert in this place.

But it will be first necessary, for the better understanding one angry clause in it, to remember, that, when the earl of Newcastle marched into Yorkshire, upon occasion of some aspersions published against him by the lord Fairfax, "that his "army consisted only of papists, and that his "design was to extirpate the protestant religion," the earl set forth a declaration of the reasons of his marching into that country, which was, "upon the "desire of the principal gentlemen, to rescue and "protect them from the tyranny of the parliament;" and then, taking notice of "the scandalous imputa-"tions upon him in point of religion," after he had vindicated himself from the least suspicion of inclination to popery, he confessed "he had granted "commissions to many papists, which, as he knew, "was, in this case, agreeable to the laws of the

" kingdom, so he believed it very agreeable to the " present policy; and that the quarrel between the " king and the two houses being not grounded " upon any matter of religion, the rebels professing " themselves to be of the same of which his ma- " jesty was clearly known to be, and the papists " generally at this time appearing very loyal to him, " which too many protestants were not, he thought " their assistance might very fitly be made use of, " to suppress the rebellion of the other." And from thence these zealous Scots concluded, that he preferred the papists, in point of loyalty, before the protestants; which was a calumny of so public a concernment, that they could not be silent in. Their petition follows in these words:

To the king's most excellent majesty.

The humble petition of the commissioners of the general assembly of the kirk of Scotland met at Edinburgh, Jan. 4, 164⅔.

" Our silence, and ceasing to present before your " majesty our humble thoughts and desires, at this " time of common danger to religion, to your ma- " jesty's sacred person, your crown, and posterity, " and to all your majesty's dominions, were impiety " against God, unthankfulness and disloyalty against " your majesty, and indirect approbation and hard- " ening of the adversaries of truth and peace in " their wicked ways, and cruelty against our bre- " thren, lying in such depths of affliction and " anguish of spirit; any one of which crimes were, " in us above all others, unexcusable, and would

" prove us most unworthy of the trust committed " unto us. The flame of this common combustion " hath almost devoured Ireland, is now wasting the " kingdom of England, and we cannot tell how " soon it shall enter upon ourselves, and set this " your majesty's most ancient and native kingdom " on fire. If in this woful case, and lamentable " condition of your majesty's dominions, all others " should be silent, it behoveth us to speak: and if " our tongues and pens should cease, our con- " sciences within us would cry out, and the stones " in the streets would answer us.

" Our great grief, and apprehension of danger, " is not a little increased, partly by the insolence " and presumption of papists, and others disaffected " to the reformation of religion, who, although for " their number and power they be not considera- " ble among us, yet, through the success of the " popish party in Ireland, and the hopes they con- " ceive of the prevailing power of the popish armies " and the prelatical faction in England, they have " of late taken spirit, and begun to speak big words " against the reformation of religion, and the work " of God in this land; and partly, and more prin- " cipally, that a chief praise of the protestant reli- " gion (and thereby our not vain, but just gloria- " tion) is, by the public declaration of the earl of " Newcastle, general of your majesty's forces for " the northern parts, and nearest unto us, trans- " ferred unto papists; who, although they be " sworn enemies unto kings, and be as infamous for " their treasons and conspiracies against princes " and rulers, as for their known idolatry and spiri- " tual tyranny, yet are they openly declared to be

" not only good subjects, or better subjects, but far " better subjects than protestants: which is a new " and foul disparagement of the reformed religion, " a notable injury to your majesty in your honour, " a sensible reflection upon the whole body of this " kingdom, which is impatient that any subjects " should be more loyal than they; but abhorreth, " and extremely disdaineth, that papists, who re- " fuse to take the oath of allegiance, should be " compared with them in allegiance and fidelity; " and which (being a strange doctrine from the " mouth or pen of professed protestants) will " suffer a hard construction from all the reformed " kirks.

" We therefore, your majesty's most humble " and loving subjects, upon these and the like con- " siderations, do humbly entreat, that your majesty " may be pleased, in your princely wisdom, first to " consider, that the intentions of papists, directed " by the principles of their profession, are no other " than they have been from the beginning, even to " build their Babel, and to set up their execrable " idolatry and antichristian tyranny, in all your " majesty's dominions; to change the face of your " two kingdoms of Scotland and England into the " similitude of miserable Ireland; which is more " bitter to the people of God, your majesty's good " subjects, to think upon, than death; and whatso- " ever their present pretences be, for the defence " of your majesty's person and authority, yet, in " the end, by their arms and power, with a dis- " played banner, to bring that to pass against " your royal person and posterity, which the fifth " of November, never to be forgotten, was not able

"by their subtile and undermining treason to pro-
" duce; or, which will be their greatest mercy, to
" reduce your majesty, and your kingdoms, to the
" base and unnatural slavery of their monarch, the
" pope: and next, that your majesty, upon this un-
" deniable evidence, may timely and speedily apply
" your royal authority, for disbanding their forces,
" suppressing their power, and disappointing their
" bloody and merciless projects.

" And for this end, we are, with greater ear-
" nestness than before, constrained to fall down
" again before your majesty, and, in all humility to
" renew the supplication of the late general as-
" sembly, and our own former petition in their
" name, for unity of religion, and uniformity of
" church-government in all your majesty's king-
" doms, and, to this effect, for a meeting of some
" divines to be holden in England, unto which,
" according to the desire of your majesty's parlia-
" ment, some commissioners may be sent from this
" kirk; that, in all points to be propounded and
" debated, there may be the greater consent and
" harmony. We take the boldness to be the more
" instant in this our humble desire, because it con-
" cerneth the Lord Jesus Christ so much in his
" glory, your majesty in your honour, the kirk of
" England (which we ought to tender as our own
" bowels, and whose reformation is more dear unto
" us than our lives) in her happiness, and the kirk
" of Scotland in her purity and peace; former ex-
" perience and daily sense teaching us, that, with-
" out the reformation of the kirk of England, there
" is no hope or possibility of the continuance of
" reformation here.

" The Lord of heaven and earth, whose vice-
" gerent your majesty is, calleth for this great
" work of reformation at your hands; and the
" present commotions and troubles of your ma-
" jesty's dominions are either a preparation, in the
" mercy of God, for this blessed reformation and
" unity of religion, (which is the desire and ex-
" pectation of all your majesty's good subjects in
" this kingdom,) or, which they tremble to think
" upon, and earnestly deprecate, are (in the justice
" of God, for the abuse of the gospel, the tolerating
" of idolatry and superstition, against so clear a
" light, and not acknowledging the day of visita-
" tion) the beginning of such a doleful desolation,
" as no policy or power of man shall be able to
" prevent, and as shall make your majesty's king-
" doms, within a short time, as miserable as they
" may be happy by a reformation of religion.
" God forbid that, whilst the houses of parliament
" do profess their desire of the reformation of
" religion in a peaceable and parliamentary way,
" and pass their bills for that end in the particulars;
" that your majesty, the nurse-father of the kirk
" of Christ, to whose care the custody and vindi-
" cation of religion doth principally belong, should,
" to the provoking of the anger of God, the stop-
" ping of the influence of so many blessings from
" Heaven, and the grieving of the hearts of all the
" godly, frustrate our expectation, make our hopes
" ashamed, and hazard the loss of the hearts of all
" your good subjects; which, next unto the truth
" and unity of religion, and the safety of your
" kingdoms, are willing to hazard their lives, and
" spend their blood, for your majesty's honour and
" happiness.

" We are not ignorant, that the work is great, " the difficulties and impediments many; and that " there be both mountains and lions in the way; " the strongest let, till it be taken out of the way, " is the mountain of prelacy: and no wonder, if " your majesty consider, how many papists, and " popishly affected, have, for a long time, found " peace and ease under the shadow thereof; how " many of the prelatical faction have thereby their " life and being; how many profane and worldly " men do fear the yoke of Christ, and are unwilling " to submit themselves to the obedience of the " gospel; how many there be, whose eyes are " dazzled with the external glory and pomp of the " kirk; whose minds are miscarried with a conceit " of the governing of the kirk by the rules of " human policy; and whose hearts are affrighted " with the apprehensions of the dangerous con- " sequences, which may ensue upon alterations. " But when your majesty, in your princely and " religious wisdom, shall remember, from the " records of former times, how against the gates of " hell, the force and fraud of wicked and worldly " men, and all panic fears of danger, the Christian " religion was first planted; and the Christian kirk " thereafter reformed: and, from the condition of " the present times, how many, from the expe- " rience of the tyranny of the prelates, are afraid " to discover themselves, lest they be revenged " upon them hereafter, (whereas prelacy being re- " moved, they would openly profess what they " are, and join with others in the way of reforma- " tion,) all obstacles and difficulties shall be " but matter of the manifestation of the power

" of God, the principal worker; and means of " the greater glory to your majesty, the prime " instrument.

" The intermixture of the government of pre- " lates with the civil state, mentioned in your " majesty's answer to our former petition, being " taken away, and the right government by assem- " blies, which is to be seen in all the reformed " kirks, and wherein the agreement will be easy, " being settled; the kirk and religion will be more " pure, and free from mixture, and the civil govern- " ment more sound and firm. That government " of the kirk must suit best with the civil state, " and be most useful for kings and kingdoms, " which is best warranted by God, by whom kings " do reign, and kingdoms are established. Nor " can a reformation be expected in the common " and ordinary way, expressed also in your " majesty's answer. The wisest and most religious " princes have found it impossible, and implying a " repugnancy, since the persons to be reformed, " and reformers, must be diverse; and the way of " reformation must be different from the corrupt " way, by which defection of workmen, and cor- " ruption in doctrine, worship, and government, " have entered into the kirk. Suffer us therefore, " dread sovereign, to renew our petitions for this " unity of religion, and uniformity of kirk-govern- " ment, and for a meeting of some divines of both " kingdoms, who may prepare matters for your " majesty's view, and for the examination and ap- " probation of more full assemblies. The national " assembly of this kirk, from which we have our " commission, did promise, in their thanksgiving

" for the many favours expressed in your majesty's " letter, their best endeavour to keep the people " under their charge in unity and peace, and in " loyalty and obedience to your majesty, and your " laws; which, we confess, is a duty well beseem- " ing the preachers of the gospel.

" But we cannot conceal how much both pastors " and people are grieved and disquieted with the " late reports of the success, boldness, and strength " of popish forces in Ireland and England; and " how much danger, from the power of so malicious " and bloody enemies, is apprehended to the re- " ligion and peace of this kirk and kingdom, con- " ceived by them to be the spring, whence have " issued all their calamities and miseries. Which " we humbly remonstrate to your majesty as a " necessity requiring a general assembly, and do " earnestly supplicate for the presence and assist- " ance of your majesty's commissioner, and the " day to be appointed; that, by universal consent " of the whole kirk, the best course may be taken " for the preservation of religion, and for the avert- " ing of the great wrath, which they conceive to " be imminent to this kingdom. If it shall please " the Lord, in whose hand is the heart of the " king, as the rivers of waters, to turn it whither- " soever he will, to incline your majesty's heart to " this through reformation; no more to tolerate " the mass, or any part of Romish superstition, or " tyranny; and to command that all good means " be used for the conversion of your princely con- " sort, the queen's majesty, (which is also the " humble desire of this whole kirk and kingdom,) " your joint comforts shall be multiplied above the

" days of your affliction, to your incredible joy;
" your glory shall shine in brightness, above all
" your royal progenitors, to the admiration of the
" world, and the terror of your enemies: and
" your kingdoms so far abound in righteousness,
" peace, and prosperity, above all that hath been
" in former generations, that they shall say, *It is*
" *good for us, that we have been afflicted.*"

This petition was not stranger in itself, than in the circumstances that attended it; for it was no sooner (if so soon) presented to the king, than it was sent to London, and printed, and communicated with extraordinary industry to the people; that they might see how far the Scottish nation would be engaged for the destruction of the church; and the messenger who presented it, Mr. Henderson, confessed to his majesty, that he had three or four letters to the most active and seditious preachers about London, from men of the same spirit in Scotland. Upon this provocation, the king might have very reasonably proceeded against Mr. Henderson, who was neither included in his safe conduct, (as the lord Lowden and the rest of the commissioners were,) nor had any authority from the lords of the council of that kingdom, (who were qualified with large powers,) to countenance his employment; being sent only from the commissioners of the general assembly, (who were not authorized by their own constitutions, to make any such declaration,) and there being then no assembly sitting; which itself, with all their new privileges, could not, with any colour of reason, or authority, have transacted such an instrument. However the king, who well knew

the interest and influence the clergy had upon the people of that kingdom; and that, whilst they pretended to remove them from all secular employment, they were the principal instruments and engines, by which the whole nation was wrought to sedition; resolved, not only to use the person of Mr. Henderson very graciously, and to protect him from those affronts, which he might naturally expect in a university, (especially, having used some grave and learned doctors with great insolence, who went civilly to him to be informed, what arguments had prevailed with him, to be so professed an enemy to the church of England, and to give him some information in the argument; with whom he superciliously refused to hold any discourse,) but to return an answer with all possible candour to the petition itself; and so, before he entered upon the other address, made by the lord Lowden and the rest, he returned (after very solemn debates in council, where the earl of Lanerick the secretary for Scotland, and other lords of Scotland, who were of the privy-council, were present, and fully concurred, with many expressions of their detestation of the manners of their countrymen, yet with assured confidence that they would not be corrupted to any act of hostility) to Mr. Henderson, and, with all expedition, by other hands into Scotland, this answer; which likewise I think fit to insert in the very words, that posterity may know how tender and provident the king always was, to prevent any misunderstanding of him and his actions with that people; and consequently any commotions in that kingdom; which was the only thing, he feared, might

contribute to, and continue, the distractions in this.

His majesty's answer to the late petition presented unto him by the hands of Mr. Alexander Henderson, from the commissioners of the general assembly of the church of Scotland.

" We received lately a petition from you, by the " hands of Mr. Alexander Henderson, to the which " we intended to have given an answer as soon as " we had transacted the business with the other " commissioners, addressed to us from the conser- " vators of the treaty of that our kingdom. But " finding the same to be published in print, and to " be dispersed throughout our kingdom, to the " great danger of scandaling of our well affected " subjects; who may interpret the bitterness and " sharpness of some expressions, not to be so " agreeable to that regard and reverence, which is " due to our person, and the matter itself to be re- " proachful to the honour and constitution of this " kingdom: we have been compelled, the more " strictly to examine, as well the authority of the " petitioners, as the matter of the petition itself, " and to publish our opinion of both, that our sub- " jects of both kingdoms may see how equally just, " and sensible, we are of the laws and honour of " both our kingdoms.

" And first, upon perusal of the petition, we " required to see the commission, by which the " messenger who brought the petition, or the per- " sons who sent him, are qualified to intermeddle " in affairs so foreign to their jurisdiction, and of

" so great concernment to this our kingdom of " England. Upon examination whereof, and in " defence of the laws and government of this our " kingdom, which we are trusted and sworn to " defend, we must profess that the petitioners, or " the general assembly of our church of Scotland, " have not the least authority, or power, to inter- " meddle or interpose in the affairs of this king- " dom, or church; which are settled and esta- " blished by the proper laws of this land, and, till " they be altered by the same competent power, " cannot be inveighed against without a due sense " of us, and this nation; much less can they pre- " sent any advice or declaration to our houses of " parliament against the same; or, to that pur- " pose, send any letters, as they have now done, " to any ministers of our church here; who, by " the laws of this land, cannot correspond against " the same.

" Therefore, we do believe that the petitioners, " when they shall consider how unwarranted it is " by the laws of that kingdom, and how contrary " it is to the laws of this, to the professions they " have made to each other, and how unbecoming " in itself, for them to require the ancient, happy, " and established governmen of the church of " England to be altered, and conformed to the " laws and constitutions of another church, will " find themselves misled by the information of " some factious persons here, who would willingly " engage the petitioners to foment a difference " and division between the two kingdoms, which " we have, with so much care and industry, en- " deavoured to prevent; not having laboured more

" to quench the combustion in this kingdom,
" than we have to hinder the like from either
" devouring Ireland, or entering into Scotland;
" which, if all others will equally labour, will un-
" doubtedly be avoided. But we cannot so easily
" pass over the mention of Ireland, being moved
" to it by the scandalous aspersions, that have
" been often cast upon us, upon that subject, and
" the use that hath been made of the woful dis-
" tractions of that kingdom, as of a seminary of
" fears and jealousies, to beget the like distractions
" in this; and, which lest they may have farther
" influence, we are the more willing to make our
" innocence appear in that particular.

" When first that horrid rebellion began, we
" were in our kingdom of Scotland; and the sense
" we had then of it, the expressions we made con-
" cerning it, the commissions, together with some
" other assistance, we sent immediately into that
" kingdom, and the instant recommendation we
" made of it to both our houses of parliament in
" England, are known to all persons of quality
" there and then about us. After our return into
" England, our ready concurring to all the de-
" sires of both houses, that might most speedily
" repress that rebellion, by passing the bill of
" pressing, and in it a clause, which quitted a
" right challenged by all, and enjoyed by many of
" our predecessors, by parting with our rights in
" the lands escheated to us by that rebellion, for
" the encouragement of adventurers; by emptying
" our magazines of arms and ammunition for that
" service, (which we have since needed for our
" necessary defence and preservation,) by consent-

" ing to all bills for the raising of money for the " same, though containing unusual clauses, which " trusted both houses without us with the manner " of disposing it: our often pressing both houses, " not to neglect that kingdom, by being diverted " by considerations and disputes less concerning " both kingdoms: our offer of raising ten thou- " sand volunteers to be sent thither; and our " several offers to engage our own royal person, in " the suppression of that horrid rebellion, are no " less known to all this nation, than our perpetual " earnestness, by our foreign ministers, to keep all " manner of supplies from being transported for " the relief of the rebels, is known to several " neighbouring princes; which if all good subjects " will consider, and withal how many of the men, " and how much of the money raised for that end, " and how much time, care, and industry, have been " diverted from that employment, and employed in " this unnatural war against us, (the true cause of " the present misery, and want, which our British " armies there do now endure,) they will soon free " us from all those imputations, so scandalously " and groundlessly laid upon us; and impute the " continuance of the combustion of that miserable " kingdom, the danger it may bring upon our " kingdoms of England and Scotland, and the be- " ginning of this doleful desolation, to those who " are truly guilty of it.

" For unity in religion, which is desired, we " cannot but answer, that we much apprehend, " lest the papists may make some advantage of " that expression, by continuing that scandal with " more authority, which they have ever heretofore

" used to cast upon the reformation, by interpret-
" ing all the differences in ceremony, government,
" or indifferent opinions between several protestant
" churches, to be differences in religion; and lest
" our good subjects of England, who have ever
" esteemed themselves of the same religion with
" you, should suspect themselves to be esteemed
" by you to be of a contrary; and that the reli-
" gion which they and their ancestors have held,
" ever since the blessed reformation, and in, and
" for which, they are resolved to die, is taxed, and
" branded of falsehood, or insufficiency, by such a
" desire.

" For uniformity in church-government, we
" conceived the answer formerly given by us (at
" Bridgenorth, 13th October, 1642) to the former
" petition in this argument, would have satisfied
" the petitioners; and is so full, that we can add
" little to it; viz. that the government here esta-
" blished by the laws hath so near a relation and
" intermixture with the civil state, (which may be
" unknown to the petitioners,) that till a composed,
" digested form be presented to us, upon a free
" debate of both houses in a parliamentary way,
" whereby the consent and approbation of this
" whole kingdom may be had, and we and all our
" subjects may discern, what is to be left, or
" brought in, as well as what is to be taken away;
" we know not how to consent to any alteration,
" otherwise than to such an act for the ease of
" tender consciences in the matter of ceremonies,
" as we have often offered; and that this, and any
" thing else that may concern the peace of the
" church, and the advancement of God's true re-

" ligion, may be soberly discussed, and happily " effected, we have formerly offered, and are still " willing, that debates of that nature may be " entered into by a synod of godly and learned " divines, to be regularly chosen according to the " laws and customs of this kingdom: to which we " shall be willing that some learned divines of our " church of Scotland may be likewise sent, to be " present, and offer, and debate their reasons. " With this answer the petitioners had great rea- " son to acquiesce, without enlarging the matter " of their former petition only with bitter expres- " sions against the established government and " laws of their neighbour nation, (as if it were " contrary to the word of God,) with whom they " have so lately entered into a strict amity and " friendship.

" But we cannot enough wonder, that the peti- " tioners should interpose themselves, not only as " fit directors and judges between us, and our two " houses of parliament, in business so wholly con- " cerning the peace and government of this our " kingdom; and in a matter so absolutely in- " trusted to us, as what new laws to consent, or " not to consent to; but should assume, and pub- " lish, that the desire of reformation in this king- " dom is in a peaceable and parliamentary way; " when all the world may know, that the proceed- " ings here have been, and are, not only contrary " to all the rules and precedents of former parlia- " ments, but destructive to the freedom, privilege, " and dignity of parliaments themselves: that we " were first driven by tumults, for the safety of " our life, from our cities of London and West-

" minster; and have been since pursued, fought " withal, and are now kept from thence by an " army, raised and paid, as is pretended, by the " two houses, which consist not of the fourth part " of the number they ought to do; the rest being " either driven from thence by the same violence, " or expelled, or imprisoned, for not consenting to " the treasons and unheard of insolencies practised " against us. And if the petitioners could believe " these proceedings to be in a peaceable and par- " liamentary way, they were unacquainted with the " order and constitution of this kingdom, and not " so fit instruments to promote the reformation " and peace, they seem to desire.

" We cannot believe the intermixture of the " present ecclesiastical government with the civil " state, to be other than a very good reason; and " that the government of the church should be by " the rules of human policy, to be other than a " very good rule, unless some other government " were as well proved, as pretended, to be better " warranted by [the word of] God.

" Of any bills offered to us for reformation, we " shall not now speak, they being a part of those " articles upon which we have offered, and expect " to treat: but cannot but wonder, by what autho- " rity you prejudge our judgment herein, by de- " nouncing God's anger upon us, and our hazard " of the loss of the hearts of all our good subjects, " if we consent not unto them. The influence of " so many blessings from heaven upon the reigns " of queen Elizabeth and our father of blessed " memory, and the acknowledgment of them by " all protestant churches, to have been careful

" nurses of the church of Christ, and to have ex-
" cellently discharged their duties, in the custody
" and vindication of religion; and the affection of
" their subjects to them, do sufficiently assure us,
" that we should neither stop the influence of such
" blessings, nor grieve the hearts of all the godly,
" nor hazard the loss of the hearts of our good
" subjects, although we still maintain, in this king-
" dom, the same established ecclesiastical govern-
" ment which flourished in their times, and under
" their special protection.

" We doubt not, but our subjects of Scotland
" will rest abundantly satisfied with such altera-
" tions in their own church, as we have assented
" unto; and not be persuaded by a mere assertion,
" that there is no hope of continuance of what is
" there settled by law, unless that be likewise
" altered which is settled here. And our subjects
" of England will never depart from their dutiful
" affection to us, for not consenting to new laws,
" which, by the law of the land, they know we
" may as justly reject, if we approve not of them,
" as either house hath power to prepare for, or
" both, to propound to us. Nor are you a little
" mistaken, if either you believe the generality of
" this nation to desire a change of church-govern-
" ment, or that most of those, who desire it, desire
" by it to introduce that which you will only es-
" teem a reformation; but are as unwilling to sub-
" mit to what you call the yoke of Christ, and
" obedience to the gospel, as those whom you call
" profane and worldly men; and so equally averse
" both to episcopacy and presbytery, that, if they
" should prevail in this particular, the abolition of

" the one would be no inlet to the other; nor " would your hearts be less grieved, your expecta- " tions less frustrated, your hopes less ashamed, " or your reformation more secured. And the " petitioners, upon due consideration, will not find " themselves less mistaken in the government of " all the reformed churches, which, they say, is by " assemblies, than they are in the best way of a " reformation; which sure is best to be in a com- " mon and ordinary way, where the passion or " interest of particular men may not impose upon " the public; but alteration be then only made, " when, upon calm debates, and evident and clear " reason, and convenience, the same shall be gene- " rally consented to for the peace and security of " the people; and those who are trusted by the " law with such debates, are not divested of that " trust, upon a general charge of corruptions, " pretended to have entered by that way; and of " being the persons to be reformed, and so unfit " to be reformers. And certainly, the like logic, " with the like charges and pretences, might be " used to make the parliament itself an incapable " judge of any reformation, either in church or " state.

" For the general expressions in the petition " against papists, in which the petitioners may be " understood to charge us with compliance and " even favour to their opinions; we have taken all " occasions to publish to the world our practice " and resolution in the true protestant reformed " religion: and we are verily persuaded, there is " no one subject in either of our dominions, who " at all knows us, and hath observed our life, but

" is, in his soul, satisfied of our constant zeal and " unremovable affection to that religion, and of " our true dislike of, and hearty opposition to " popery. And as we willingly consented, at our " being in Scotland, to all acts proposed to us, for " the discountenancing and the reforming the " papists in that our kingdom; so, by our procla- " mations for the putting of all laws severely in " execution against recusants; and by not refusing " any one bill, presented to us to that purpose, in " this kingdom; and by our perpetual and public " professions of readiness, with the advice of our " two houses of parliament, prepared for us in a " deliberate and orderly way, to find some expe- " dient to perfect so good a work; we conceived, " we had not left it possible for any man to believe " us guilty of tolerating any part of the Romish " tyranny or superstition; or to suspect, that the " conversion of our dearest consort was not so " much our desire, that the accession of as many " crowns as God hath already bestowed on us, " would not be more welcome to us than that day: " a blessing, which it is our daily prayer to the " Almighty to bestow upon us.

" But we might well have expected from the " petitioners, who have, in their solemn national " covenant, literally sworn so much care of the " safety of our person, and cannot but know in " how much danger that hath been, and still is, by " the power and threats of rebellious armies, that " they would as well have remembered the 23rd of " October, as the 5th of November; and as well " have taken notice of the army raised, and led " against us by the earl of Essex, which hath act-

" ually assaulted, and endeavoured to murder us;
" which we know to abound in Brownists, anabap-
" tists, and other sectaries; and in which we have
" reason (by prisoners we have taken, and the evi-
" dence they have given) to believe there are many
" more papists (and many of those foreigners) than
" in all our army; as have advised us, to disband
" out of the army of the earl of Newcastle, which
" is raised for our defence, the papists in that
" army; who are known to be no such number, as
" to endanger their obtaining any power of build-
" ing their Babel, and setting up their idolatry;
" and whose loyalty he hath reason to commend
" (though he was never suspected for favouring
" their religion) not before that of protestants,
" but of such as rebel under that title; and whose
" assistance is as due to us, by the law of God and
" man, to rescue us from domestic rebellion, as to
" defend us from foreign invasion; which we think
" no man denies to be lawful for them to do. But
" we do solemnly declare, and protest, that God
" shall no sooner free us from the desperate and
" rebellious arms taken up against us, but we shall
" endeavour to free ourselves and kingdom from
" any fear of danger from the other, by disarming
" them, according to the laws of this land; as we
" shall not fail to send our commissioner to the
" assembly, at the time appointed for it by the laws
" of Scotland.

" To conclude, we desire and require the peti-
" tioners (as becomes good and pious preachers of
" the gospel) to use their utmost endeavours, to
" compose any distraction in opinions, or mis-
" understandings, which may, by the faction of

" some turbulent persons, be raised in the minds " of our good subjects of that our kingdom; and " to infuse into them a true sense of charity, obe- " dience, and humility, the great principles of the " Christian religion; that they may not suffer " themselves to be transported with things that " they do not understand, or think themselves " concerned in the government of another king- " dom, because it is not according to the customs " of that in which they live; but that they dispose " themselves, with modesty and devotion, to the " service of Almighty God; with duty and affec- " tion, to the obedience of us, and our laws; (re- " membering the singular grace, favour, and be- " nignity, we have always expressed to that our " native kingdom;) and with brotherly and Christ- " ian charity one towards another: and we doubt " not but God, in his mercy to us and them, will " make us instruments of his blessings upon each " other, and both of us, of a great measure of " happiness and prosperity to the whole nation."

The lord Lowden and the other lay-commissioners, who were persons entirely guided by him, and of inferior quality, gave the precedence to this petition, which they called matter of religion; and pressed not their own commission, till the king had declared and published his answer to that: and though they pretended not to have any authority to say any thing in that engagement of the commissioners of the assembly; yet the lord Lowden used all importunity, and arguments, to persuade the king in private, to consent to the alteration of the government of the church; assuring

him, " that it would be a means, not only to hinder " his subjects of Scotland from adhering to the " parliament; but that it would oblige them to " assist his majesty to the utmost, in the vindica- " tion of all his rights." But he quickly found the king too strongly fixed to be swayed in a case of conscience, by a consideration of convenience; and his lordship undertook to give no other arguments.

He betook himself then with his companions to their own proper and avowed errand; which consisted of two parts: the one, to offer " the media- " tion of the conservators of the peace of that " kingdom, for the composure of the differences " between the king and the two houses;" the other, " to desire his majesty, that he would send " out his precepts to summon a parliament in " Scotland." These desires, and any arguments to enforce them, they always delivered to the king himself in writing; declining any address to his ministers, or any debates with his council, lest it might seem to lessen the grandeur and absoluteness of the kingdom of Scotland. But the king always brought those papers, which he received from them, to his council; and received their advice, what answers to return. For the first, of mediation, they pretended a title and obligation to it, by a clause in the act of pacification made at the beginning of this parliament; which clause was, " That the peace to be then established might be " inviolably observed in all time to come, it was " agreed, that some should be appointed by his " majesty, and the parliaments of both kingdoms, " who, in the interim betwixt the sitting of the

" parliaments, might be careful, that the peace " then happily concluded might be continued; and " who should endeavour by all means to prevent " all troubles and divisions; and if any debate and " difference should happen to arise, to the disturb- " ance of the common peace, they should labour " to remove or compose them, according to their " power; it being supposed, that, for all their pro- " ceedings of this kind, they should be answerable " to the king's majesty and the parliament: and if " any thing should fall out that should be above " their power, and could not be remedied by them, " they should inform themselves in the particulars, " and represent the same to the king's majesty, " and the ensuing parliament; that, by their wis- " doms and authority, all occasion and causes of " troubles might be removed, and the peace of the " kingdom might be perpetual to all posterity. " And it was declared, that the power of the com- " mission should be restrained to the articles of " peace in that treaty."

This clause, and the whole statute, being carefully perused, and examined before his majesty in his council, the king returned an answer to them in writing.

" That he could not find any colour, or pretence " of authority, to be granted by that act of parlia- " ment, by which the commissioners for Scotland " could conceive themselves interessed in a faculty " of mediation; that the clause mentioned by them " (besides that there was no such commission " granted as was mentioned in that clause, nor any " commissioners named for those purposes) related " only to the differences that might grow between

" the two nations; and only upon the articles of " that treaty, which, his majesty said, had been, " and should be, inviolably observed by him. That " the differences between his majesty and his two " houses of parliament had not the least relation " to the peace between the two kingdoms, but to " the unquestionable and long enjoyed rights of " his, which his rebellious subjects endeavoured, " by force, to wrest from him; and concerned the " fundamental laws of this kingdom; which, as " they could not be supposed to be known to the " conservators of the peace of Scotland, so they " could not have any possible cognizance of them. " That it might give great umbrage to his subjects " of England, if he should consent to what they " now proposed; and, instead of confirming and " continuing the peace, breed jealousies between " the nations; and therefore he could not admit " of any such mediation as they proposed; but " that he hoped the treaty, which he now ex- " pected, would beget so good an understanding " between him and his two houses, that a peace " might ensue; towards which he would expect " nothing from his subjects of Scotland, but their " prayers."

This gave them no satisfaction, but they insisted still on their right by that clause; which, without any reason or argument to persuade others to be of their mind, they said, " they conceived, laid that " obligation upon them of interposition;" to which the king still gave the same answer.

For their other demand of a parliament in Scotland, the case stood thus: The king, at his last being in Scotland, had, according to the precedent

he had made here, granted an act for triennial parliaments in that kingdom; and, at the close of that present parliament, had ratified another act, by which a certain day was appointed, for the commencement of the next; which day was to be on the first Tuesday of June, in the year 1644, except the king should call one sooner; which he had power to do. So that the question was only, whether the calling a parliament sooner in that kingdom was like to advance his service, and to contribute to the peace of this? In the disquisition whereof, there needed no arguments, that such a convention could not then produce benefit to the king; the entire government of that people being in those persons, who had contrived those dismal alterations. On the other hand, all men thought it very happy for the king, that, without his consent, there could be no parliament in Scotland, till June 1644; which was more than fourteen months from this time: till when, how disinclined soever the whole nation should be, there was as much assurance as could possibly be, from that people, that the parliament would not be able to procure any avowed supply from that kingdom: it being the express words in the late act of pacification, "that the kingdom of England should not denounce "or make war against the kingdom of Scotland, "without consent of the parliament of England;" as on the other part it was enacted, "that the "kingdom of Scotland should not denounce or "make war against the kingdom of England, without the consent of the parliament of Scotland. "And in case any of the subjects of either of the "kingdoms should rise in arms, or make war

" against the other kingdom, or subjects thereof,
" without consent of the parliament of that king-
" dom, whereof they are subjects, or upon which
" they do depend, that they should be held, re-
" puted, and demanded, as traitors to the estates,
" whereof they are subjects. And, that both the
" kingdoms, in that case, should be bound to con-
" cur in the repressing of those that should happen
" to arise in arms, or make war, without consent
" of their own parliament."

So that whoever believed, that those people could be contained by any obligations, divine or human, thought it impossible, by these clear texts, that any forces could be raised there to invade England, and disturb his majesty, till June 1644; before which time, there was hope the king might so far prevail, that the spirit of the rebellion might be broken, and men return again to their understanding and allegiance. Therefore to that demand the king returned answer, " that against the time by which " they could legally demand a parliament," (naming the day,) " he would issue out his writs, and " there being no emergent cause to do it sooner, " he would forbear to put his subjects there to that " trouble, which those meetings, how necessary so- " ever, would naturally carry with them."

When they perceived that they should not receive satisfaction in either of their proposals, and (which it may be troubled them more) that the king was so wary in his answers, and so clearly expressed the reasons and justice of them, that they should have no arguments to apply to the passion or interest of their countrymen; which they expected at least; (for in that, in which he was most stead-

fastly resolved, the preservation of the government of the church, he expressed no more to them, than, "that being a matter of so great importance, and "having so near relation to the civil government "and laws of England, they could not be com- "petent considerers of it; but that he would do "what should be most safe, and necessary for the "peace and welfare of his subjects, who were most "concerned in it;") at last rather cursorily, and as matter of ceremony at parting, than of moment, they desired "the king's leave, and pass to go to "London," having, as they said, "some business "there before their return into their own country."

This was, by many, thought a thing of so small moment, that the king should readily grant it; since it was evident, that it was in their own power to go thither without his leave; for they were necessarily to return through the enemy's quarters; and being once there, they might choose whether they would go directly home, or visit London. And therefore that request was thought but an instance of their modesty, that they might not return without one thing granted to them, at their request. But the king looked upon it as no indifferent thing; and their asking a business that they needed not ask, was enough to demonstrate, that there was more in it than appeared. And he well knew, there was a great difference between their going to London with his pass and license, and without it, which they might easily do. They had now publicly declared their errand, and claimed a title, and legal capacity to undertake the business of mediation; which would be so far from being rejected there, that they would be thankfully received, and

admitted to a power of umpirage. If upon, or after this claim, the king should grant them his pass, it would, by their logic, more reasonably conclude his assent, than many of those inferences which they drew from more distant propositions; and having that ground once, his majesty's not consenting to what those grave mediators would propose, and afterwards, as arbitrators, award, should be quarrel sufficient for the whole nation to engage. And therefore the king expressly denied his pass and safe conduct; and told them plainly the reason why he did so; and required them, "since he had "denied to consent to that, which could be the "only ground of their going to London, that they "should first return to those that sent them, be-"fore they attempted that journey: if they did "otherwise, they must run the hazard of persons, "whom his majesty would not countenance with "his protection." And the truth is, though they might very well have gone to London, they could not have returned thence to Scotland, (except they would have submitted to the inconvenience and hazard of a voyage by sea,) without so much danger from the king's quarters in the north, (York and Newcastle being at his devotion,) that they could not reasonably promise themselves to escape.

Whilst this was in agitation, the committee from the parliament for the treaty, to wit, the earl of Northumberland, Mr. Pierrepoint, sir W. Armyn, sir John Holland, and Mr. Whitlock, came to Oxford; who shortly took notice of the Scottish commissioners' desires, and also desired on their behalf, "that they might have his majesty's leave to go to

" London:" but being quickly answered, " that " that request would not fall within either of the " propositions agreed to be treated of," they modestly gave over the intercession: and in the end, the lord Lowden and his countrymen returned directly to Scotland, staying only so long in the garrisons of the enemy, through which they were reasonably to pass, as to receive such animadversions, and to entertain such communication, as they thought most necessary.

As soon as the committee arrived at Oxford, they were very graciously received by the king; his majesty always giving them audience in council, and they withdrawing into a private chamber prepared for them, whilst their proposals, which they still delivered in writing, were considered, and debated before the king. They declared, " that they were " first to treat of the cessation, and till that was " concluded, that they were not to enter upon any " of the other propositions;" with which his majesty was well pleased, presuming that they had brought, or had power to give, consent to the articles proposed by him; which he the rather believed, when they read the preamble to the articles; in which it was declared, " that the lords and com- " mons being still carried on with a vehement de- " sire of peace, that so the kingdom might be freed " from the desolation and destruction, wherewith " it was like to be overwhelmed, had considered " of the articles of cessation with those alterations, " and additions, offered by his majesty; unto which " they were ready to agree in such manner as was " expressed in the ensuing articles." After which, were inserted the very articles had been first sent

to the king, without the least condescension to any one alteration, or addition, made by him; neither had the committee power to recede, or consent to any alteration, but only to publish it, if the king consented in terms, and then, and not till then, to proceed to treat upon the other propositions.

This the king looked upon as an ill omen; other men as a plain contempt, and stratagem, to make the people believe, by their sending their committee, that they did desire a treaty and a cessation, yet, by limiting them so strictly, to frustrate both, and to cast the envy of it upon the king. Hereupon, the next day, the king sent a message to them, which he published, to undeceive the people; farther pressing "the weight and consequence of his "former exceptions, and alterations; and the in-"convenience that proceeded from not granting "their committee power to alter so much as verbal "expressions: so that, if the king should consent "to the articles as they were proposed, he should "not only submit to great disadvantages; but some "such, as themselves would not think reasonable "to oblige him to. As by that article wherein "they reserved a power to send out a fleet, or "what ships they thought good, to sea; they were "not at all restrained from sending what land "forces they pleased, to any part of the kingdom; "so that, when the cessation ended, they might "have new and greater armies throughout the "kingdom, than they had when it begun; which, "he presumed, they did not intend; being a thing "so unequal, and contrary to the nature of a ces-"sation.

"Then in the articles they last sent, they styled

" their forces, the army raised by the parliament;
" the which if his majesty should consent to, he
" must acknowledge, either that he consented to
" the raising that army, or that he was no part of the
" parliament: neither of which, he conceived, they
" would oblige him to do. And therefore he de-
" sired, that their committee might have liberty to
" treat, debate, and agree upon the articles; upon
" which they and all the world should find, that he
" was less solicitous for his own dignity and great-
" ness, than for his subjects' ease and liberty. But
" if that so reasonable, equal, and just desire of his
" should not be yielded unto, but the same articles
" still insisted upon, though his majesty, next to
" peace, desired a cessation, yet, that the not
" agreeing upon the one might not destroy the
" hopes of, nor so much as delay, the other; he
" was willing to treat, even without a cessation,
" upon the propositions themselves, in that order
" that was agreed; and desired their committee
" might be enabled to that effect. In which treaty
" he would give," he said, " all his subjects that
" satisfaction, that if any security to enjoy all the
" rights, privileges, and liberties, due to them by
" the law, or that happiness in church and state,
" which the best times had seen, with such farther
" acts of grace, as might agree with his honour,
" justice, and duty to his crown, and which might
" not render him less able to protect his subjects,
" according to his oath, would satisfy them; his
" majesty was confident, in the mercy of God, that
" no more precious blood of this nation would be
" thus miserably spent."

This message produced liberty to the committee

to enter upon the treaty itself, upon the propositions, though the cessation should not be agreed to: and shortly after they sent reasons to the king, why they consented not to the cessation in such manner, and with those limitations, as he had proposed. 1. They alleged, "that, if they should "grant such a free trade, as the king desired, to "Oxford, and other places, where his forces lay, it "would be very difficult, if not impossible, to "keep arms, ammunition, money, and bullion, "from passing to his army: however, it would be "exceeding advantageous to his majesty, in sup-"plying his army with many necessaries, and "making their quarters a staple for such commo-"dities, as might be vented in the adjacent coun-"ties; and so draw money thither; whereby the "inhabitants would be better enabled by loans, "and contributions, to support his army. As this "advantage to him was very demonstrable, so it "was very improbable that it would produce any "supply to them; and, in a treaty for a cessation, "those demands could not be thought reasonable "that were not indifferent, that is, equally advan-"tageous to both parties. 2. That to demand the "approving the commanders of the ships, was, to "desire [to add] the strength of the one party to "the other, before the differences were ended; "against all rules of treaty. And to make a "cessation at sea, was to leave the kingdom naked "to foreign forces, and the ports open for his sup-"plies of arms and ammunition. But for convey-"ing any forces, by those means, from one part to "the other, they would observe the articles by "which that was restrained. 3. For the expres-

" sion of the army raised by the parliament, they " were contented it should be altered, and the " name of the two houses used. 4. For the com- " mitting none, but according to the known laws " of the land, that is, by the ordinary process of " law, it would follow, that no man must be com- " mitted by them for supplying the king with " arms, money, or ammunition; for, by the law of " the land, the subject might carry such goods " from London to Oxford: the soldiers must not " be committed who do run from their colours, " and refuse any duty in the army; no man should " be committed, for not submitting to necessary " supplies of money: so that if it should be " yielded to, in his majesty's sense, they should " be disabled to restrain supplies from their ene- " mies, and to govern and maintain their own " soldiers; and so, under a disguise of a cessation, " should admit that which would necessarily pro- " duce the dissolving of their army, and destruc- " tion of their cause. And," they said, " it was " not probable, that his majesty would suffer the " same inconveniences by that clause; for that " they believed he would interpret, that what his " general did by virtue of his commission, was " and would be done according to the known laws " of the land; whereas he had denied, that those " known laws gave any power to the two houses " of parliament to raise armies; and so, conse- " quently, their general could not exercise any " martial laws. So that under the specious show " of liberty and law, they should be altogether " disabled to defend their liberties and laws; and " his majesty would enjoy an absolute victory and " submission, under pretence of a cessation and

" treaty." They said, " being, by a necessity in-
" evitable, enforced to a defensive war, and therein
" warranted both by the laws of God and man, it
" must needs follow, that, by the same law, they
" were enabled to raise means to support that war;
" and therefore they could not relinquish that
" power of laying taxes upon those who ought to
" join with them in that defence, and the necessary
" way of levying those taxes upon them, in case of
" refusal; for otherwise their army must needs be
" dissolved."

Though these reasons were capable, in a sad and composed debate, of full answers, and many things would naturally have flowed from them, to disprove the practice and assertions of the framers of them; yet it was very evident, that they carried such a kind of reason with them, as would prevail over the understandings of the people; and that the king, by not consenting to the cessation, as it was proposed by them, would be generally thought to have rejected any; which could not but have an ill influence upon his affairs: and therefore his majesty sent them, as soon as he had weighed this late message, which he well discerned was not formed to satisfy him, but to satisfy the people against him, an answer; in which he explained the ill consequence of many of their assumptions, and enforced the importance of his former demands on the behalf of the people: however, he offered " to
" admit the cessation upon the matter of their
" own articles; so that he might not be under-
" stood to consent to any of those unjust and
" illegal powers, which they exercised upon the
" subjects." But from henceforward, the houses declined any farther argument and debate concern-

ing the cessation; and directed their committee, "to expedite the treaty upon the propositions:" the particulars whereof being transacted in the beginning of the year 1643, I shall refer the narrative to the next book; intending in this, only to comprehend the transactions to the end of 1642.

I am persuaded, if the king had, upon the receipt of the articles for the cessation, when they were first sent to him, frankly consented to it, it would have proved very much to his advantage; and that his army would very much have increased by it, and the other been impaired; and that it would have been very difficult for the parliament to have dissolved it, if once begun, or to have determined the treaty. But besides the reasons before mentioned, the consideration of the northern forces, and the restraining them within their old quarters, who seemed to be in a condition of marching even to London itself, prevailed very far with the king; or rather (which indeed was the grand reason, and rendered every other suggestion of weight) the jealousy that they did not intend to consent to or admit any peace, but such a one as his majesty might not admit, made all the preliminary debates the more insisted on.

Before I conclude this book, I cannot but insert one particular, which by some men may hereafter be thought of some signification. It was now the time of the year, when, by the custom of the kingdom, the king's judges itinerant used to go their circuits throughout England and Wales, to administer justice to the people; and to inquire into all treasons, felonies, breaches of the peace,

and other misdemeanours, which were any where committed contrary to the known laws; and who were sworn to judge according to those known laws, the study and knowledge whereof was their profession.

The lords and commons now sent to the king a special message, "to advise, and desire him, that, in "regard of the present distractions, which might "hinder both the judges and the people from re- "sorting to those places where such meetings "might be appointed, the assizes and gaol-delivery "might not be holden; but that it might be "deferred, until it should please God to restore "peace unto his people."

The king returned them answer; "that the "present bloody distractions of the kingdom, "which he had used all possible means to pre- "vent, and would still to remove, did afflict his "majesty under no consideration more, than of "the great interruption and stop it made in the "course and proceedings of justice, and the exe- "cution of the laws; whereby his good subjects "were robbed of the peace and security they were "born to. And therefore, as much as in him lay, "he would advance that only means of their hap- "piness; at least, they should see that their suf- "ferings that way proceeded not from his majesty; "and since they might now expect, by the laws, "statutes, and customs of the kingdom, the as- "sizes and general gaol-delivery in every county, "his majesty thought not fit to command the con- "trary; but would take severe and precise order, "that none of his subjects should receive the "least prejudice, as they repaired thither, by any

" of his forces, which rule he should be glad to " see observed by others. And then he hoped, " by the execution of the laws, even those public " calamities might have some abatement, and the " kingdom recover its former peace and pro- " sperity."

But this answer was not more satisfactory than [others] they had usually received from him; and therefore they betook themselves to their old tried weapon, and made an ordinance, " that all judges, " and justices of assize and nisi prius, and justices " of oyer and terminer, and gaol-delivery, should " forbear to execute any of their said commissions, " or to hold or keep any assizes, or gaol-delivery, " at any time during that Lent vacation; as they " would answer the contempt and neglect thereof " before the lords and commons in parliament." And this was the first avowed interruption and suspension of the public justice, that happened, or that was known ever before in that kind; and gave the people occasion to believe, that what the parliament did (what pretence soever there was of fundamental laws) was not so warrantable by that rule, since they laboured so much to suppress that inquisition. It was not in the king's power to help this; for besides that the example of judge Mallet, who, the circuit before, had been forcibly taken from the bench by a troop of horse, as is before remembered, terrified all the judges, (and there were very few counties in England, in which they could have been secure from the like violence,) the records, upon which the legal proceedings were to be, were at London; and so the exercise of the law ceased throughout the kingdom, save only in some few counties, whither the

king sent some judges of assize, and into others, his commissions of oyer and terminer; by virtue whereof, the earl of Essex, and many others, were as legally attainted of high treason, as the wisdom of our ancestors could direct.

We shall in this place, and before we mention the treaty which shortly ensued, for in the time between the return of the commissioners to London, and the beginning of the treaty, this person [Mr. Hyde] (whom we shall hereafter mention under the style of chancellor of the exchequer) was preferred to that office, and because it was about the end of the year [1642-3], it being in February when he was sworn a privy-counsellor, we shall set down the state of the court and the state of the kingdom at this time, the names of those privy-counsellors who attended the king, or were in his service, and the names of those who were likewise of the council, but stayed and acted with the parliament against the king; and likewise the temper of the kingdom at that season, as it was possessed and made useful to either party; and then it will easily appear how little motive any man could have from interest or ambition, who was not carried by the impulsion of conscience and consideration of duty, to engage himself in the quarrel on the king's side.

The lord Littleton was keeper of the great seal of England, of whom so much hath been said before, that there is no need of enlargement upon him in this place. His parts, which in the profession of the law were very great, were not very applicable to the business now in hand; and though, from the time of the king's coming to Oxford, the king had confidence enough in him, to

leave the seal in his custody, and he would have been glad to have done any service; his very ill fortune had drawn so great a disesteem upon him from most men, that he gave little reputation to the council, and had little authority in it. He was exceedingly glad that his friend the chancellor of the exchequer was become a member of it.

The duke of Richmond, as he was of the noblest extraction, being nearest allied to the king's person of any man who was not descended from king James; so he was very worthy of all the grace and favour the king had shewed him; who had taken great care of his education, and sent him into France, Italy, and Spain, where he was created a grandee of that kingdom; and as soon as he returned, though he was scarce one and twenty years of age, made him a privy-counsellor; and shortly after, out of his abundant kindness to both families, married him to the sole daughter of his dead favourite, the duke of Buckingham; with whom he received twenty thousand pounds in portion; and his majesty's bounty was likewise very great to him; so that, as he was very eminent in his title, so he was at great ease in his fortune. He was a man of very good parts, and an excellent understanding; yet, which is no common infirmity, so diffident of himself, that he was sometimes led by men who judged much worse. He was of a great and haughty spirit, and so punctual in point of honour, that he never swerved a tittle. He had so entire a resignation of himself to the king, that he abhorred all artifices to shelter himself from the prejudice of those, who, how powerful soever, failed in their duty to his majesty; and therefore he was pursued with all imaginable ma-

lice by them, as one that would have no quarter, upon so infamous terms, as but looking on whilst his master was ill used. As he had received great bounties from the king, so he sacrificed all he had to his service, as soon as his occasions stood in need of it; and lent his majesty, at one time, twenty thousand pounds together; and, as soon as the war begun, engaged his three brothers, all gallant gentlemen, in the service; in which they all lost their lives. Himself lived, with unspotted fidelity, some years after the murder of his master, and was suffered to put him into his grave; and died, without the comfort of seeing the resurrection of the crown.

The marquis of Hertford was a man of great honour and fortune, and interest in the affection of the people; and had always undergone hard measure from the court, where he received no countenance, and had no design of making advantage from it. For, though he was a man of very good parts, and conversant in books, both in the Latin and Greek languages, and of a clear courage, of which he had given frequent evidence; yet he was so wholly given up to a country life, where he lived in splendour, that he had an aversion, and even an unaptness, for business: besides his particular friendship with the earl of Essex, whose sister he had married, his greatest acquaintance and conversation had been with those who had the reputation of being best affected to the liberty of the kingdom, and least in love with the humour of the court; many of whom were the chief of those who engaged themselves most factiously and furiously against the king. But as soon as he discerned their violent purposes against the government

established, before he suspected their blacker designs, he severed himself from them; and, from the beginning of the parliament, never concurred with them in any one vote dishonourable to the king, or in the prosecution of the earl of Strafford. He did accept the government of the prince of Wales, as is mentioned before, purely out of obedience to the king; and, no doubt, it was a great service; though for the performance of the office of a governor, he never thought himself fit, nor meddled with it. He left York, as is remembered, to form an army for the king in the west, where his interest was; but he found those parts so corrupted, and an army from the parliament was poured down so soon upon him, that there was nothing for the present to be done worthy of his presence; so that he sent the small party, that was with him, farther west to Cornwall; where, by degrees, they grew able to raise an army, with which they joined with him afterwards again; and himself returned to the king at Oxford, about the time when the treaty began.

The earl of Southampton was indeed a great man in all respects, and brought very much reputation to the king's cause. He was of a nature much inclined to melancholy, and being born a younger brother, and his father and his elder brother dying upon the point together, whilst he was but a boy, he was much troubled to be called *my lord*, and with the noise of attendance; so much he then delighted to be alone. Yet he had a great spirit, and exacted the respect that was due to his quality; he had never had any conversation in the court, nor obligation to it. On the contrary, he had undergone some hardship from it; which made

it believed, that he would have been ready to have taken all occasions to have been severe towards it. And therefore, in the beginning of the parliament, no man was more courted by the managers of those designs. He had great dislike of the high courses, which had been taken in the government, and a particular prejudice to the earl of Strafford, for some exorbitant proceedings. But, as soon as he saw the ways of reverence and duty towards the king declined, and the prosecution of the earl of Strafford to exceed the limits of justice, he opposed them vigorously in all their proceedings. He was a man of a great sharpness of judgment, a very quick apprehension, and that readiness of expression upon any sudden debate, that no man delivered himself more advantageously and weightily, and more efficaciously with the hearers; so that no man gave them more trouble in his opposition, or drew so many to a concurrence with him in opinion. He had no relation to, or dependence upon, the court, or purpose to have any; but wholly pursued the public interest. It was long before he could be prevailed with to be a counsellor, and longer before he would be admitted to be of the bedchamber; and received both honours the rather, because, after he had refused to take a protestation, which both houses had ordered to be taken by all their members, they had likewise voted, "that no man should be capable of any "preferment in church or state, who refused to "take the same;" and he would shew how much he contemned those votes. He went with the king to York; was most solicitous, as hath been said, for the offer of peace at Nottingham; and was then with him at Edge-hill; and came and stayed

with him at Oxford to the end of the war, taking all opportunities to advance all motions towards peace; and, as no man was more punctual in performing his own duty, so no man had more melancholy apprehensions of the issue of the war; which is all shall be said of him in this place, there being frequent occasions to mention him, in the continuance of this discourse, there being always a fast friendship between him and the chancellor of the exchequer, which lasted to his death.

The earl of Leicester was a man of great parts, very conversant in books, and much addicted to the mathematics; and though he had been a soldier, and commanded a regiment, in the service of the States of the United Provinces, and was afterwards employed in several embassies, as in Denmark and in France, was in truth rather a speculative, than a practical man; and expected a greater certitude in the consultation of business, than the business of this world is capable of: which temper proved very inconvenient to him through the course of his life. He was, after the death of the earl of Strafford, by the concurrent kindness and esteem both of king and queen, called from his embassy in France, to be lieutenant of the kingdom of Ireland; and, in a very short time after, unhappily lost that kindness and esteem: and being, about the time of the king's coming to Oxford, ready to embark at Chester, for the execution of his charge, he was required to attend his majesty, for farther instructions, at Oxford; where he remained; and though he was of the council, and sometimes present, he desired not to have any part in the business; and lay under many reproaches and

jealousies, which he deserved not: for he was a man of honour, and fidelity to the king, and his greatest misfortunes proceeded from the staggering and irresolution in his nature.

The earl of Bristol was a man of a grave aspect, of a presence that drew respect, and of long experience in affairs of great importance. He had been, by the extraordinary favour of king James to his person (for he was a very handsome man) and his parts, which were naturally great, and had been improved by a good education at home and abroad, sent ambassador into Spain, before he was thirty years of age; and afterwards in several other embassies; and at last, again into Spain; where he treated and concluded the marriage between the prince of Wales and that infanta; which was afterwards dissolved. He was by king James made of the privy-council, vice-chamberlain of the household, an earl, and a gentleman of the bedchamber to the prince, and was then crushed by the power of the duke of Buckingham, and the prejudice the prince himself had contracted against him, during his highness's being in Spain; upon which he was imprisoned upon his return; and after the duke's death, the king retained so strict a memory of all his friendships and displeasures, that the earl of Bristol could never recover any admission to the court; but lived in the country, in ease, and plenty in his fortune, and in great reputation with all who had not an implicit reverence for the court; and before, and in the beginning of the parliament, appeared in the head of all the discontented party; but quickly left them, when they entered upon their unwarrantable violences, and grew so much

into their disfavour, that after the king was gone to York, upon some expressions he used in the house of peers in debate, they committed him to the Tower; from whence being released, in two or three days, he made haste to York to the king; who had before restored him to his place in the council and the bedchamber. He was with him at Edge-hill, and came with him from thence to Oxford; and, at the end of the war, went into France; where he died; that party having so great an animosity against him, that they would not suffer him to live in England, nor to compound for his estate, as they suffered others to do, who had done them more hurt. Though he was a man of great parts, and a wise man, yet he had been for the most part single, and by himself, in business; which he managed with good sufficiency; and had lived little in consort, so that in council he was passionate, and supercilious, and did not bear contradiction without much passion, and was too voluminous in discourse; so that he was not considered there with much respect; to the lessening whereof no man contributed more than his son, the lord Digby; who shortly after came to sit there as secretary of state, and had not that reverence for his father's wisdom, which his great experience deserved, though he failed not in his piety towards him.

The earl of Newcastle was a person well bred, and of a full and plentiful fortune; and had been chosen by the king to be governor to the prince of Wales, and made of the council, and resigned that office of governor to the marquis of Hertford, for the reasons which have been mentioned. He was not at Oxford, but remained at Newcastle, with the king's commission to be general of those parts;

being a man of great courage, and signal fidelity to the crown, of whom there will be more occasion hereafter to enlarge.

The earl of Berkshire was of the council, but not yet at Oxford; having been, about or before the setting up of the standard, taken prisoner in Oxfordshire, and committed to the Tower, upon an imagination that he had some purpose to have executed the commission of array in that county; but they afterwards set him at liberty, as a man that could do them no harm any where; and then he came to Oxford, with the title and pretences of a man, who had been imprisoned for the king, and thereby merited more than his majesty had to give. His affection for the crown was good; his interest and reputation less than any thing but his understanding.

The lord Dunsmore had been made a privy-counsellor, after so many, who had deserved worse, had been called thither, to make an atonement; which failing, he could not be refused, who was ready to do whatever he was directed: he was a man of a rough and tempestuous nature, violent in pursuing what he wished, without judgment, or temper to know the way of bringing it to pass; however, he had some kind of power with froward and discontented men; at least he had credit to make them more indisposed. But his greatest reputation was, that the earl of Southampton married his daughter, who was a beautiful and a worthy lady.

The lord Seymour, being brother to the marquis of Hertford, was a man of interest and reputation; he had been always very popular in the country; where he had always lived out of the grace of the court; and his parts and judgment were best in

those things which concerned the good husbandry, and the common administration of justice to the people. In the beginning of the parliament, he served as knight of the shire for Wiltshire, where he lived; and behaving himself with less violence in the house of commons, than many of his old friends did, and having a great friendship for the earl of Strafford, he was, by his interposition, called to the house of peers; where he carried himself very well in all things relating to the crown; and when the king went to York, he left the parliament, and followed his majesty, and remained firm in his fidelity.

The lord Savile was likewise of the council, being first controller, and then treasurer of the household, in recompense of his discovery of all the treasons and conspiracies, after they had taken effect, and could not be punished. He was a man of an ambitious and restless nature; of parts and wit enough; but, in his disposition, and inclination, so false, that he could never be believed, or depended upon. His particular malice to the earl of Strafford, which he had sucked in with his milk, (there having always been an immortal feud between the families; and the earl had shrewdly overborne his father,) had engaged him with all persons who were willing, and like to be able, to do him mischief. And so, having opportunity, when the king was at the Berks, and made the first unhappy pacification, to enter into conversation, and acquaintance, with those who were then employed as commissioners from the Scots, there was a secret intelligence entered into between them from that time; and he was a principal instrument

to engage that nation to march into England with an army, which they did the next year after. To which purpose, he sent them a letter, signed with the names of several of the English nobility, inviting them to enter the kingdom, and making great promises of assistance; which names were forged by himself, without the privity of those who were named. And when all this mischief was brought to pass, and he found his credit in the parliament not so great as other men's, he insinuated himself into credit with somebody, who brought him to the king or queen, to whom he confessed all he had done to bring in the Scots, and who had conspired with him, and all the secrets he knew, with a thousand protestations "to repair all by future loyalty "and service;" for which he was promised a white staff, which the king had then resolved to take from sir Henry Vane, who held it with the secretary's office; which he had accordingly; though all his discovery was of no other use, than that the king knew many had been false, whom he could not punish; and some, whom he could not suspect. When the king came to York, where this lord's fortune and interest lay, his reputation was so low, that the gentlemen of interest, who wished well to the king's service, would not communicate with him; and, after the king's remove from thence, the earl of Newcastle found cause to have such a jealousy of him, that he thought it necessary to imprison him; and afterwards sent him to Oxford; where he so well purged himself, that he was again restored to his office. But in the end he behaved himself so ill, that the king put him again out of his place, and

committed him to prison, and never after admitted him to his presence; nor would any man of quality ever after keep any correspondence with him.

Of the lord Falkland, and sir John Colepepper, there hath been so much said before, that there is no occasion to add to it in this place. There will be reason too soon to lament the unhappy death of the former; and the latter, who never failed in his fidelity, will be very often mentioned throughout the ensuing discourse.

Secretary Nicholas was a very honest and industrious man, and always versed in business; which few of the others were, or had been. After some time spent in the university of Oxford, and then in the Middle Temple, he lived some years in France; and was afterwards secretary to the lord Zouch, who was a privy-counsellor, and warden of the cinque ports; and thereby he understood all that jurisdiction, which is very great, and exclusive to the admiral. And when that lord, many years after, surrendered that office to the king, to the end that it might be conferred upon the duke of Buckingham, his secretary was likewise preferred with the office; and so, in a short time, became secretary of the admiralty, as well as of the cinque ports; and was entirely trusted, and esteemed by that great favourite. After his death, he continued in the same place, whilst the office was in commission, and was then made clerk of the council, from whence the king called him to be secretary of state, after secretary Windebank fled the kingdom; upon his majesty's own observation of his virtue and fidelity, and without any other recommendation: and he was in truth, throughout his whole life, a person of very good reputation, and of singular integrity.

There remain only two of the council then at Oxford, who are not yet named, sir John Banks, who had been attorney general, and was then chief justice of the common pleas, a grave and a learned man in the profession of the law; and sir Peter Wych, who had been ambassador at Constantinople; from whence he returned very little before the troubles, and gratified sir Thomas Jermyn very liberally for his white staff, when the court was very low, and so was made a privy-counsellor, and controller of the household. He was a very honest, plain man; and died very shortly after the treaty, and was succeeded by sir Christopher Hatton, a person of great reputation at that time, which in few years he found a way utterly to lose.

This was the state of the king's council at Oxford when Mr. Hyde was made chancellor of the exchequer; and amongst them there were not many who had been acquainted with the transaction of business, at least with business of that kind which they were then to be incumbent to; and from the first entrance into the war, the soldiers did all they could to lessen the reverence that was due to them, thinking themselves the best judges of all counsels and designs, because they were for the most part to execute them: but they neither designed well nor executed, and it may be executed the worse, because they had too great a power in the designing; the king himself too much inclining to them, out of too little esteem of many of his counsellors. At that time the king's quarters were only between Oxford and Reading, and some miles on the other side to Banbury, and the town of Newcastle in the north, and Pendennis in the west of Cornwall; but in some months after, they were

extended as far as Chester upon the Severn; and the earl of Newcastle reduced all to York, and drove all who professed for the parliament into Hull; and sir Ralph Hopton, with the assistance of sir Nicholas Slanning, Arundel, and Trevannion, made themselves masters of Cornwall, and afterwards advanced farther towards a conjunction with the king.

And here it will not be amiss to look back, and take a view of those persons who were of the king's council, and had deserted his service, and stayed in the parliament to support the rebellion; and of the parliament's strength and power at that time in and over the kingdom. The earl of Northumberland may well be reckoned the chief of them, in respect of the antiquity and splendour of his family, his great fortune and estate, and the general reputation he had among the greatest men, and his great interest, by being high admiral of England. Though he was of a family, that had lain under frequent blemishes of want of fidelity to the crown, and his father had been long a prisoner in the Tower, under no less a suspicion than of having some knowledge of the gunpowder treason; and after he was set at liberty, by the mediation and credit of the earl of Carlisle, who had, without and against his consent, married his daughter, he continued, to his death, under such a restraint, that he had not liberty to live and reside upon his northern estate: yet his father was no sooner dead, than the king poured out his favours upon him in a wonderful measure: he began with conferring the order of the garter upon him, and shortly after made him of his privy-council; when a great fleet of ships was prepared, by which the king meant that his

neighbour princes should discern, that he meant to maintain and preserve his sovereignty at sea, he sent the earl of Northumberland admiral of that fleet, a much greater than the crown had put to sea since the death of queen Elizabeth, that he might breed him for that service, before he gave him a more absolute command. And after he had, in that capacity, exercised himself a year or two, he made him lord high admiral of England; which was such a quick succession of bounties and favours, as had rarely befallen any man, who had not been attended with the envy of a favourite. He was, in all his deportment, a very great man, and that which looked like formality, was a punctuality in preserving his dignity from the invasion and intrusion of bold men, which no man of that age so well preserved himself from. Though his notions were not large or deep, yet his temper, and reservedness in discourse, and his unrashness in speaking, got him the reputation of an able and a wise man; which he made evident in the excellent government of his family, where no man was more absolutely obeyed; and no man had ever fewer idle words to answer for; and in debates of importance, he always expressed himself very pertinently. If he had thought the king as much above him, as he thought himself above other considerable men, he would have been a good subject; but the extreme undervaluing those, and not enough valuing the king, made him liable to the impressions, which they who approached him by those addresses of reverence and esteem, which usually insinuate themselves into such natures, made in him. And so after he was first prevailed upon, not to do that which in honour and gratitude he was obliged to,

(which is a very pestilent corruption,) he was, with the more facility, led to concur in what, in duty and fidelity, he ought not to have done, and which at first he never intended to have done. And so he concurred in all the counsels which produced the rebellion, and stayed with them to support it; which is as much as is necessary to say of him in this place, since there will be often occasion hereafter to mention him, with some enlargement.

The earl of Pembroke hath been enough mentioned in a better conjuncture of time, when his virtues were thought greater than they were, and his vices very little discerned. Yet, by what was then said, his nature and his parts might be well enough understood; and as neither the one nor the other were improveable, so they were liable to be corrupted by any assaults; his understanding being easy to be imposed upon, and his nature being made up of very strong passions. Whilst there was tranquillity in the kingdom, he enjoyed his full share in pomp and greatness; the largeness and plentifulness of his fortune being attended with reverence and dependence from the people where his estate and interest lay, and where indeed he was a great man; getting an affection and esteem from persons who had no dependence upon him, by his magnificent living, and discoursing highly of justice, and of the protestant religion; inveighing bitterly against popery, and telling what he used to say to the king; and speaking frankly of the oversights of the court, that he might not be thought a slave to it. He had been bred from his cradle in the court; and had that perfection of a courtier, that as he was not wary enough in

offending men, so he was forward in acknowledging it, even to his inferiors, and to impute it to his passion, and ask pardon for it; which made him be thought a well-natured man. Besides, he had a choleric office, which entitled him to the exercise of some rudenesses, and the good order of the court had some dependence upon his incivilities.

There were very few great persons in authority, who were not frequently offended by him, by sharp and scandalous discourses, and invectives against them, behind their backs; for which they found it best to receive satisfaction by submissions, and professions, and protestations, which was a coin he was plentifully supplied with for the payment of all those debts; and his infirmities were so generally known, that men did not think they could suffer in their reputations by any thing he said; whilst the king retained only some kindness for him, without any value and esteem of him. But, from the beginning of the parliament, when he saw and heard a people stout enough to inveigh against the king's authority, and, to fall upon those persons whom he had always more feared than loved; and found that there were two armies in the kingdom, and that the king had not the entire command of either of them; when the decrees of the star-chamber, and the orders and acts of the council, in all which he had concurred, (as his concurrence was all that he had contributed towards any counsel,) were called in question, and like to be made penal to those who would not redeem their past errors by future service; his fear which was the passion always predominant in him above all his choler and rage, prevailed so far over him, that he gave himself up into the hands of the lord Say, to dispose of him as he

thought fit, till the king took the white staff from him, and gave it to the earl of Essex, as hath been related at large before.

From this time, he took himself to be absolved from all obligations and dependence upon the court, which he had lived too long in to be willing to quit; and therefore the moreclosely adhered to them, by whose power he thought he might get thither again; and, for some time, entertained the hope of obtaining the other superior white staff; which remained then in the king's hand by the departure of the earl of Arundel into the parts beyond the seas. But when he saw that staff given to the duke of Richmond, who was then made [lord] steward of the household, he gave over those weak imaginations, and concurred roundly in all the lord Say proposed: and was so weak still, as to believe they never meant to rebel against the king; or that the king could long subsist, without putting himself into their hands. When they had any thing to do in the west, as the exercise of the militia, or executing any other ordinance, they sent him into the country, and shewed him to the people, under the conduct of two or three members of the house, in whom they could confide; and he talked " of the king's evil counsellors, who carried " him from his parliament; and of the malignants; " and against scandalous ministers;" whilst none of his old friends came near him. And when they were resolved no longer to trust the Isle of Wight in the hands of the earl of Portland, who had been long the king's governor there, and had an absolute power over the affections of that people, they preferred the poor earl of Pembroke to it, by an

ordinance of parliament; who kindly accepted it, as a testimony of their favour; and so got into actual rebellion, which he never intended to do. It is pity to say more of him, and less could not be said to make him known, if any thing were necessary; and it cannot be avoided to mention him again hereafter, there being particular passages between him and the chancellor of the exchequer, who had great kindness for him, whilst he had any hope of reclaiming him, and even when that was desperate, was never without a desire to serve him, having been formerly beholden to him for many civilities, when there was so great a distance between their conditions.

The earl of Essex hath been enough mentioned before; his nature and his understanding have been described; his former disobligations from the court, and then his introduction into it, and afterwards his being displaced from the office he held in it, have been set forth; and there will be occasion, hereafter, to renew the discourse of him; and therefore it shall suffice, in this place, to say, that a weak judgment, and a little vanity, and as much of pride, will hurry a man into as unwarrantable and as violent attempts, as the greatest, and most unlimited, and insatiable ambition will do. He had no ambition of title, or office, or preferment, but only to be kindly looked upon, and kindly spoken to, and quietly to enjoy his own fortune: and, without doubt, no man in his nature more abhorred rebellion than he did, nor could he have been led into it by any open or transparent temptation, but by a thousand disguises and cozenages. His pride supplied his want of ambition,

and he was angry to see any other man more respected than himself, because he thought he deserved it more, and did better requite it. For he was, in his friendships, just and constant; and would not have practised foully against those he took to be enemies. No man had credit enough with him to corrupt him in point of loyalty to the king, whilst he thought himself wise enough to know what treason was. But the new doctrine, and distinction of allegiance, and of the king's power in and out of parliament, and the new notions of ordinances, were too hard for him, and did really intoxicate his understanding, and made him quit his own, to follow theirs, who, he thought, wished as well, and judged better than himself. His vanity disposed him to be his excellency; and his weakness, to believe that he should be the general in the houses, as well as in the field; and be able to govern their counsels, and restrain their passions, as well as to fight their battles; and that, by this means, he should become the preserver, and not the destroyer, of the king and kingdom. And with this ill-grounded confidence, he launched out into that sea, where he met with nothing but rocks and shelves, and from whence he could never discover any safe port to harbour in.

The earl of Salisbury had been born and bred in court, and had the advantage of a descent from a father, and a grandfather, who had been very wise men, and great ministers of state in the eyes of Christendom; whose wisdom and virtues died with them, and their children only inherited their titles. He had been admitted of the council to king James; from which time he continued so obsequious to the

court, that he never failed in overacting all that he was required to do. No act of power was ever proposed, which he did not advance, and execute his part with the utmost rigour. No man so great a tyrant in his country, or was less swayed by any motives of justice or honour. He was a man of no words, except in hunting and hawking, in which he only knew how to behave himself. In matters of state and council, he always concurred in what was proposed for the king, and cancelled and repaired all those transgressions, by concurring in all that was proposed against him, as soon as any such propositions were made. Yet when the king went to York, he likewise attended upon his majesty; and, at that distance, seemed to have recovered some courage, and concurred in all counsels which were taken to undeceive the people, and to make the proceedings of the parliament odious to all the world. But, on a sudden, he caused his horses to attend him out of the town, and having placed fresh ones at a distance, he fled back to London, with the expedition such men use, when they are most afraid; and never after denied to do any thing that was required of him; and when the war was ended, and Cromwell had put down the house of peers, he got himself to be chosen a member of the house of commons; and sat with them, as of their own body; and was esteemed accordingly. In a word, he became so despicable to all men, that he will hardly ever enjoy the ease which Seneca bequeathed him; *Hic egregiis majoribus ortus est, qualiscunque est, sub umbra suorum lateat; ut loca sordida repercussa sole illustrantur, ita inertes majorum suorum luce resplendeant.*

The earl of Warwick was of the king's council

too, but was not wondered at for leaving the king, whom he had never served; nor did he look upon himself as obliged by that honour, which, he knew, was conferred upon him in the crowd of those whom his majesty had no esteem of, or ever purposed to trust; so his business was to join with those to whom he owed his promotion. He was a man of a pleasant and companionable wit and conversation; of an universal jollity; and such a license in his words, and in his actions, that a man of less virtue could not be found out: so that a man might reasonably have believed, that a man so qualified would not have been able to have contributed much to the overthrow of a nation and kingdom. But, with all these faults, he had great authority and credit with that people, who, in the beginning of the troubles, did all the mischief; and by opening his doors, and making his house the rendezvous of all the silenced ministers, in the time when there was authority to silence them, and spending a good part of his estate, of which he was very prodigal, upon them, and by being present with them at their devotions, and making himself merry with them, and at them, which they dispensed with, he became the head of that party; and got the style of a godly man. When the king revoked the earl of Northumberland's commission of admiral, he presently accepted the office from the parliament; and never quitted their service; and when Cromwell disbanded that parliament, he betook himself to the protection of the protector; married his heir to his daughter; and lived in so entire a confidence and friendship with him, that, when he died, he had the honour to

be exceedingly lamented by him; and left his estate, which before was subject to a vast debt, more improved and repaired, than any man who trafficked in that desperate commodity of rebellion.

The earl of Holland had grown up under the shadow of the court, and had been too long a counsellor before, and contributed too much to the counsels which had most prejudiced the crown, to have declined waiting upon it, when it needed attendance. But he chose to stay with the parliament; and there hath been enough said of him before, and more must be said hereafter. And therefore it shall suffice now, to say, that there was a very froward fate attended all, or most of the posterity of that bed, from whence he and his brother of Warwick had their original; though he, and some others among them, had many very good parts and excellent endowments.

The earl of Manchester, of the whole cabal, was, in a thousand respects, most unfit for the company he kept. He was of a gentle and a generous nature; civilly bred; had reverence and affection for the person of the king, upon whom he had attended in Spain; loved his country with too unskilful a tenderness; and was of so excellent a temper and disposition, that the barbarous times, and the rough parts he was forced to act in them, did not wipe out, or much deface, those marks: insomuch as he was never guilty of any rudeness towards those he was obliged to oppress, but performed always as good offices towards his old friends, and all other persons, as the iniquity of the time, and the nature of the employment he was in, would

permit him to do; which kind of humanity could be imputed to very few.

And he was at last dismissed, and removed from any trust, for no other reason, but because he was not wicked enough. He married first into the family of the duke of Buckingham, and, by his favour and interest, was called to the house of peers in the life of his father; and made baron of Kimbolton, though he was commonly treated and known by the name of the lord Mandevile; and was as much addicted to the service of the court as he ought to be. But the death of his lady, and the murder of that great favourite, his second marriage with the daughter of the earl of Warwick, and the very narrow and restrained maintenance, which he received from his father, and which would in no degree defray the expenses of the court, forced him too soon to retire to a country life, and totally to abandon both the court and London; whither he came very seldom in many years. And in this retirement, the discountenance which his father underwent at court, the conversation of that family into which he was married, the bewitching popularity, which flowed upon him with a wonderful torrent, with the want of those guards which a good education should have supplied him with, by the clear notion of the foundation of the ecclesiastical, as well as the civil government, made a great impression upon his understanding, (for his nature was never corrupted, but remained still in its integrity,) and made him believe that the court was inclined to hurt, and even to destroy the country; and from particular instances to make general and dangerous conclusions. They who had been always enemies to the church prevailed with him to lessen

his reverence for it, and having not been well instructed to defend it, he yielded too easily to those who confidently assaulted it; and thought it had great errors, which were necessary to be reformed; and that all means are lawful to compass that which is necessary. Whereas the true logic is, that the thing desired is not necessary, if the ways are unlawful, which are proposed to bring it to pass. No man was courted with more application, by persons of all conditions and qualities; and his person was not less acceptable to those of steady and uncorrupted principles, than to those of depraved inclinations. And in the end, even his piety administered some excuse to him; for his father's infirmities and transgressions had so far exposed him to the inquisition of justice, that he found it necessary to procure the assistance and protection of those who were strong enough to violate justice itself; and so he adhered to those who were best able to defend his father's honour, and thereby to secure his own fortune; and concurred with them in their most violent designs, and gave reputation to them. And the court as unskilfully took an occasion too soon to make him desperate, by accusing him of high treason, when (though he might be guilty enough) he was, without doubt, in his intentions, at least, as innocent as any of the leading men.

And it is some evidence, that God Almighty saw his heart was not so malicious as the rest, that he preserved him to the end of the confusion; when he appeared as glad of the king's restoration, and had heartily wished it long before, and very few, who had a hand in the contrivance of the rebellion, gave so manifest tokens of repentance as he did;

and having, for many years, undergone the jealousy and hatred of Cromwell, as one who abominated the murder of the king, and all the barbarous proceedings against the lives of men in cold blood; the king upon his return received him into grace and favour, which he never forfeited by any undutiful behaviour.

The last of those counsellors which were made after the faction prevailed in parliament, who were all made to advance an accommodation, and who adhered to the parliament, was the lord Say; a man, who had the deepest hand in the original contrivance of all the calamities which befell this unhappy kingdom, though he had not the least thought of dissolving the monarchy, and less of levelling the ranks and distinctions of men. For no man valued himself more upon his title, or had more ambition to make it greater, and to raise his fortune, which was but moderate for his title. He was of a proud, morose, and sullen nature; conversed much with books, having been bred a scholar, and (though nobly born) a fellow of New College in Oxford; to which he claimed a right, by the alliance he pretended to have from William of Wickham, the founder; which he made good by such an unreasonable pedigree, through so many hundred years, half the time whereof extinguishes all relation of kindred. However upon that pretence, that college hath been seldom without one of that lord's family. His parts were not quick, but so much above those of his own rank, that he had always great credit and authority in parliament; and the more, for taking all opportunities to oppose the court; and he had, with his milk, sucked in an implacable malice against the govern-

ment of the church. When the duke of Buckingham proposed to himself, after his return with the prince from Spain, to make himself popular, by breaking that match, and to be gracious with the parliament, as for a short time he was, he resolved to embrace the friendship of the lord Say; who was as solicitous to climb by that ladder. But the duke quickly found him of too imperious and pedantical a spirit, and to affect too dangerous mutations; and so cast him off; and from that time he gave over any pursuit in court, and lived narrowly and sordidly in the country; having conversation with very few, but such who had great malignity against the church and state, and fomented their inclinations, and gave them instructions how to behave themselves with caution, and to do their business with most security; and was in truth the pilot, that steered all those vessels which were freighted with sedition to destroy the government.

He found always some way to make professions of duty to the king, and made several undertakings to do great services, which he could not, or would not, make good; and made haste to possess himself of any preferment he could compass, whilst his friends were content to attend a more proper conjuncture. So he got the mastership of the wards shortly after the beginning of the parliament, and was as solicitous to be treasurer after the death of the earl of Bedford; and, if he could have satisfied his rancour in any degree against the church, he would have been ready to have carried the prerogative as high as ever it was. When he thought there was mischief enough done, he would have stopped the current, and have diverted farther

fury; but he then found he had only authority and credit to do hurt; none to heal the wounds he had given; and fell into as much contempt with those whom he had led, as he was with those whom he had undone.

The last of the counsellors who stayed with the parliament was sir Henry Vane; who had so much excuse for it, that, being thrown out of the court, he had no whither else to go; and promised himself to be much made of by them, for whose sakes only he had brought that infamy upon himself. He was of very ordinary parts by nature, and had not cultivated them at all by art; for he was illiterate. But being of a stirring and boisterous disposition, very industrious, and very bold, he still wrought himself into some employment. He had been acquainted with the vicissitudes of court, and had undergone some severe mortification, by the disfavour of the duke of Buckingham, in the beginning of the king's reign. But the duke was no sooner dead, (which made it believed that he had made his peace in his lifetime, for the king was not, in a long time after, reconciled to any man who was eminently in the duke's disfavour,) but he was again brought into the court, and made a counsellor, and controller of the household; which place he became well, and was fit for; and if he had never taken other preferment, he might probably have continued a good subject. For he had no inclination to change, and in the judgment he had, liked the government both of church and state; and only desired to raise his fortune, which was not great, and which he found many ways to improve. And he was wont to say, "that he "never had desired other preferment; and believed,

" that marquis Hamilton," (with whom he had never kept fair quarter,) " when he first proposed " to him to be secretary of state, did it to affront " him; well knowing his want of ability for the " discharge of that office." But, without doubt, as the fatal preferring him to that place was of unspeakable prejudice to the king, so his receiving it was to his own destruction. His malice to the earl of Strafford (who had unwisely provoked him, wantonly, and out of contempt) transported him to all imaginable thoughts of revenge; which is a guest, that naturally disquiets and tortures those who entertain it, with all the perplexities they contrive for others; and that disposed him to sacrifice his honour and faith, and his master's interest, that he might ruin the earl, and was buried himself in the same ruin; for which being justly chastised by the king, and turned out of his service, he was left to his own despair; and, though he concurred in all the malicious designs against the king, and against the church, he grew into the hatred and contempt of those who had made most use of him; and died in universal reproach, and not contemned more by any of his enemies, than by his own son; who had been his principal conductor to destruction.

We now pass to the transactions in the treaty itself, which was in the beginning of the year 1643.

THE END OF THE SIXTH BOOK.

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